

Final Documents

For

Annexation to the
City of Hillsboro

WA0605
Ordinance 5484
DOR 34-1726-2005
Sec. State: AN-2005-0043

Final to DOR: _____

Signature:

 _____

Date of

Mailing: 2/16/05

Final to Secretary of State: _____

Signature:

 _____

Date of

Mailing: 2/22/05

WA0605

Sent

Received

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

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

Assessor: 2/22/05

Elections: 2/22/05

Mapped: Yes

Address Information:

1S209DA00300
1S209DA00400
1S209DA00500
1S209DB00700
1S209DB00800

24925 SW Lone Oak Street
24985 SW Lone Oak Street
25065 SW Lone Oak Street
25145 SW Lone Oak Street
25205 SW Lone Oak Street

Proposal No. WA0605

1S2W09

Annexation to the City of Hillsboro

Washington Co.



R L I S
REGIONAL LAND INFORMATION SYSTEM



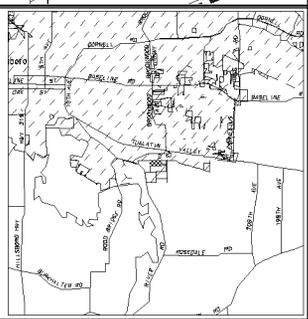
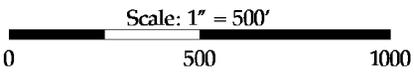
600 NE Grand Ave.
Portland, OR 97232-2736
Voice 503 797-1742
FAX 503 797-1909
Email drc@metro-region.org

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. WA0605
CITY OF HILLSBORO
Figure 1





February 23, 2005

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

Dear Mr. Knight:

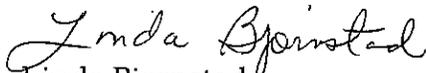
Please be advised that we have received and filed, as of February 23, 2005, the following records annexing territory to the following:

| 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
 WA0605

ORD. #5484 (AN 31-04)

has been: Approved 2/22/2005
 Disapproved

Notes:

Department of Revenue File Number: 34-1726-2005

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-P306-2005
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

Date: 2/11/2005

This letter is to inform you that the map and description for your PLANNED annex to City of Hillsboro (AN 31-04 (Beaman et al)) 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**

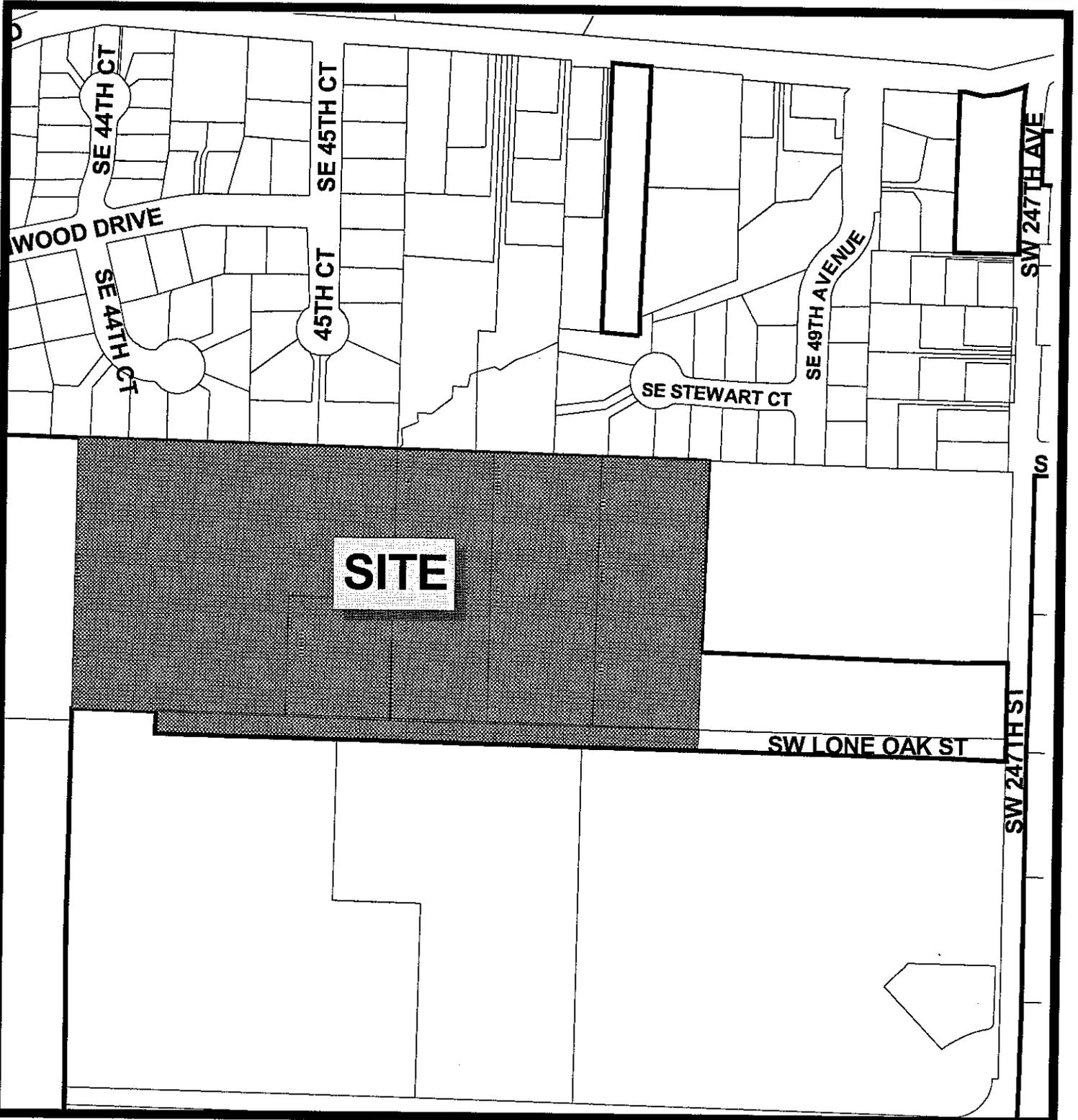
If you have any questions please contact: Carolyn Sunderman, 503-945-8882



AN 31-04: BEAMAN ET. AL.
ZC 1-05: BEAMAN ET. AL.



Request for Annexation of Five Properties and a Request
for Zone Change Approval from County FD-20 (Future
Development 20 Acre District) to City A-1 Duplex Residential




Recorder, City of Hillsboro

ORDINANCE NO. 5484
AN 31-04: BEAMAN ET. AL.

AN ORDINANCE ANNEXING CERTAIN TRACTS OF LAND INTO THE CITY LIMITS OF HILLSBORO AND WITHDRAWING THE TRACTS 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, WASHINGTON COUNTY SERVICE DISTRICT NO. 1 FOR STREET LIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, the City received a complete petition from the property owners of certain tracts of land, described in Exhibit A to this ordinance, requesting that the properties 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 tracts of land are 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 tracts of land are 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 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;

WHEREAS, the tracts of land lie 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 February 1, 2005, and does hereby favor the annexation of the subject tracts of land and withdrawals from the districts based on the findings attached hereto as Exhibit B;

WHEREAS, the annexation and withdrawals are not contested by any necessary party;

NOW, THEREFORE, THE CITY OF HILLSBORO DOES ORDAIN AS FOLLOWS:

Section 1. The tracts of land, described in Exhibit A, are declared to be annexed to the City of Hillsboro, Oregon.

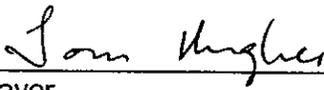
Section 2. The tracts of land annexed by this ordinance and described in Section 1 are withdrawn from the following districts upon the effective date of the annexation: Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; Washington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

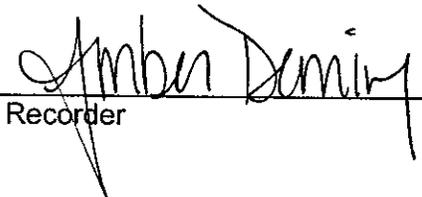
Section 4. Inasmuch as it is necessary that this annexation become effective soon, so as to avoid unnecessary hardship to the property owner and allow for the immediate provision of City services, an emergency is declared to exist and this ordinance shall become effective immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council this 1st day of February, 2005.

Approved by the Mayor this 1st day of January, 2005.



Mayor

ATTEST: 

City Recorder

City of Hillsboro
Annexation 31-04 : Beaman et. al.
Proposed legal description
NS, January 24, 2005

Exhibit 'A'

A tract of land in Section 9, Township 1 South, Range 2 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

BEGINNING at the northwest corner of Lot 12 of Witch Hazel Little Farms, a duly recorded subdivision in said county;

thence South 1°00' East, along the west line of said lot, a distance of 524.53 feet to the southwest corner thereof;

thence North 89°41'46" East, along the south line of said lot, a distance of 160.0 feet to the northeast corner of that tract of land vacated by and described in Document No. 83-13365 in Deed Records of said county;

thence South 1°00' East, along the east line of said tract, a distance of 40.0 feet to the southeast corner thereof and the south right of way line of southwest Lone Oak Street;

thence North 89°41'46" East, along said south right of way line, a distance of 1040.01 feet to the northeast corner of Lot 21 of the aforementioned Witch Hazel Little Farms;

thence North 1°00' West, along the southerly projection of the east line of Lot 11 of said plat, a distance of 40.0 feet to the southeast corner of said lot;

thence continuing North 1°00' West, along the east line of said lot, a distance of 524.53 feet to the northeast corner thereof;

thence South 89°41'46" West, along the north line of Lot 11 and Lot 12 of said plat, a distance of 1200.0 feet to the POINT OF BEGINNING.

Know all men by these presents, that we, Frank Thus and Mary Thus, husband and wife, grantor, in consideration of the sum of \$10.00 and 00/100 Dollars,

do hereby grant, bargain, sell and convey unto the said grantees, their heirs and assigns, all the following real property, with the easements, servitudes and appurtenances, situated in the County of Washington and State of Oregon, bounded and described as follows, to-wit:

All lot 12, Witch Hazel Little Farm, as shown on the duly recorded map and plat thereof except the following described tract: Beginning at the southeast corner of said lot 12 and running thence north on the east line thereof 234 feet to a point; thence west parallel with the south line thereof 186 feet to a point; thence south parallel with the east line of said lot 234 feet to the south line thereof; thence east on the south line of said lot to the point of beginning.

Consideration less than \$100.00 No I. R. S. required.

To Have and to Hold the above described and granted premises unto the said grantees, their heirs and assigns forever. And the grantor, do hereby covenant that they are lawfully seized in fee simple of the above granted premises free from all encumbrances,

and that they 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 whatsoever.

Witness our hand and seal this 16th day of February, 1953

Frank Thus (SEAL)
Mary Thus (SEAL)

STATE OF OREGON, County of Washington. On this 16th day of February, 1953 before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Frank Thus and Mary Thus

who are 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.

R. N. Torbet
Notary Public for Oregon
My Commission expires Dec 1953



3094 INDEXED

WARRANTY DEED
Oregon Deed

Table with columns for recording information, including date and amount.

STATE OF OREGON, County of Washington

I certify that the within instrument was received for record on the 19th day of Feb 1953 and recorded in book 211 and recorded in book 211 of said County.

Witness my hand and seal of County of Washington

R. N. TORBET
County Clerk - Washington
J. S. Beaman
Act 2 Feb 29 1953
Washington, Ore

001854

JUL 09 2001

5
16

15209DB-005700



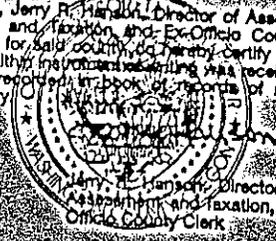
OREGON TITLE INSURANCE COMPANY
Division of Lawyers Title Insurance Corporation

After Recording, Return to:
RICHARD P. SMITH
25145 SE Lone Oak Street
Hillsboro, OR 97123

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

STATE OF OREGON
County of Washington

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



Doc #: 2001066797
Rect: 282708 22.00
07/09/2001 02:44:06pm

STATUTORY BARGAIN AND SALE DEED
(Individual)

(Above Space Reserved for Recorder's Use)

Oregon Title # 01 H137013

RICHARD P. SMITH

conveys to RICHARD P. SMITH and WILLIAM GARRY SMITH, not as tenants in common but with the right of survivorship the following described real property in the State of Oregon and County of Washington:

Beginning at the Southeast corner of Lot 12, WITCH HAZEL LITTLE FARMS, in the County of Washington and State of Oregon; thence North on the East line thereof 234 feet; thence West parallel with the South line of Lot 12 a distance of 186 feet; thence South parallel with the East line of Lot 12 a distance of 234 feet to the South line thereof; thence East 186 feet to the place of beginning.

RECORDED BY OREGON TITLE AS AN ACCOMMODATION ONLY. NO LIABILITY IS ACCEPTED FOR THE CONDITION OF TITLE OR FOR THE VALIDITY, SUFFICIENCY OR EFFECT OF THIS DOCUMENT.

Tax Account Number(s): R338600

The true consideration for this conveyance is \$0.00

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.

DATED this 9 day of July, 2001.

Richard P. Smith
RICHARD P. SMITH

STATE OF OREGON, COUNTY OF WASHINGTON) ss.
The foregoing instrument was acknowledged before me this 9 day of July, 2001, by RICHARD P. SMITH.

Jenni M. Willy
Notary Public for Oregon
My Commission Expires: 8-14-2002

Order No. 374830w



IN THE BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

122

83013365

In the Matter of the Vacation of a Portion
of S.W. Lone Oak Street, in Section 9, T1S,
R2W, W.M., in Washington County, Oregon,
pursuant to ORS 368.326; Vacation No. 237.

RESOLUTION AND ORDER

NO. 83-80

The above-entitled matter having come on regularly before the Board at its meeting of April 19, 1983; and

It appearing to the Board that a petition has been filed for a vacation of a portion of S.W. Lone Oak Street, situated in Section 9, Township 1 South, Range 2 West of the Willamette Meridian, Washington County, Oregon, and that said petition was signed by owners of 100 percent of the land abutting the property proposed to be vacated, pursuant to ORS 368.351(2); and

It appearing to the Board that said petition did describe the portion of street to be vacated, the names of the parties to be particularly affected thereby, and set forth the particular circumstances of the case; and it appearing further that notice was given by certified mail as to the pendency of said petition; and

It appearing to the Board that the portion of S.W. Lone Oak Street to be vacated is not within the corporate limits of any city or town; and

It appearing to the Board that the 40.00 foot dedicated roadway was created by the recording of the Plat of "Witch Hazel Little Farms" and is an unimproved roadway, and does not enhance the public road system; and

It appearing to the Board that the only parties that would be particularly affected by the said vacation are the petitioners who own all the land adjacent to and affected by the said proposed vacation; and

It appearing to the Board that the County road official did examine that portion of S.W. Lone Oak Street to be vacated as described below, and filed a report with this Board upon completion thereof, in accordance with ORS 368.351(1); and

It appearing to the Board that there was one utility company that requested an easement for a utility facility be reserved within the public roadway to be vacated, and that said easement for said facility should be reserved; and

It appearing to the Board that there have been no remonstrances to the vacation of said portion of S.W. Lone Oak Street; it is therefore

RESOLVED AND ORDERED that:

All that portion of S.W. Lone Oak Street extending from the East line of Vacation Order No. 1798, recorded in Book 385, Page 361, Washington County Deed Records, East 160.00 feet as shown on the duly recorded plat of Witch Hazel Little Farms, recorded on Page 28, Town Plat Book 7, Washington County, Oregon, situated in the Southeast quarter of Section 9, Township 1 South, Range 2 West of the Willamette Meridian, Washington County, Oregon, said portion being more particularly described as follows, to-wit:

1-2

Beginning at the Southwest corner of Lot 12, "Witch Hazel Little Farms", thence N 89°41'46" E along the South line of said Lot 12, 160.00 feet; thence S 1°00' E parallel with the East line of Vacation Order No. 1798, 40 feet to the North line of Lot 20, "Witch Hazel Little Farms"; thence S 89°41'46" W along the said North line 160.00 feet to the Northwest corner thereof; thence N 1°00' W along the East line of Vacation Order No. 1798, 40 feet to the place of beginning.

Basis of Bearing: Plat of Witch Hazel Little Farms, recorded on Page 28, Town Plat Book 7, Washington County, Oregon.

be and hereby is vacated as it is in the public interest, reserving therefrom a 10 foot wide easement to Portland General Electric Company for a utility line, said utility easement to be the North 10.00 feet of the entire 160 feet being vacated; and it is further

RESOLVED AND ORDERED that the County Surveyor of Washington County, Oregon, be and hereby is authorized and directed to mark that portion of said S.W. Lone Oak Street as vacated on the plats and records of Washington County, Oregon, all in accordance with ORS 271.230; and it is further

RESOLVED AND ORDERED that the County Surveyor of Washington County, Oregon, is hereby authorized and directed to have this order of vacation recorded in the records of Washington County, Oregon, and cause copies of this order to be filed with the Director of Assessment and Taxation and the County Surveyor's office in accordance with ORS 368.356(3).

DATED this 19th day of April, 1983.

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

W. McMillan
Chairman

Philip A. Brunninger
Recording Secretary

STATE OF OREGON
County of Washington

By: 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.

No. 237
BC



1983 APR 21 AM 11:47

5 VOTES AYE

Approved as to form:

Alan J. Bachman
Assistant County Counsel for
Washington County, Oregon

Page 2 - R&O No. 83-80
Vacation No. 237

2



OREGON TITLE Insurance Company

93058736
Washington County

STATUTORY WARRANTY DEED
(Individual)

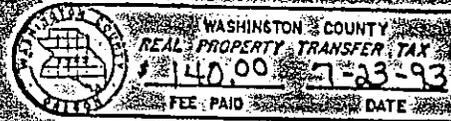
Phillip F. Niedermeyer and Judith K. Niedermeyer, as tenants by the entirety

conveys and warrants to
Roy L. Maddox III and Patricia D. Maddox, husband and wife

the following described real property in the State of Oregon and County of Washington
free of encumbrances, except as specifically set forth herein:
Lot 11, according to the duly filed plat of WITCH HAZEL LITTLE FARMS, filed October 28,
1921, in Plat Book 7, Page 28, Records of the County of Washington and State of Oregon,
EXCEPTING THEREFROM the East 415 feet.

Tax Account Number(s): R338593

This property is free of encumbrances, EXCEPT:
1993-94 taxes a lien but not yet payable. Levies and assessments of Unified Sewerage
Agency.



The true consideration for this conveyance is \$139,721.00

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLA-
TION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRU-
MENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY
OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

DATED this 21 day of July, 1993.

Philip F. Niedermeyer
Philip F. Niedermeyer

Judith K. Niedermeyer
Judith K. Niedermeyer

STATE OF OREGON, COUNTY OF WASHINGTON)ss.

The foregoing instrument was acknowledged before me this 21 day of July, 1993, by
Philip F. Niedermeyer and Judith K. Niedermeyer, as tenants by the entirety.

Elva Dratton
Notary Public for Oregon
My Commission Expires:



Order No.: 658585w

After Recording Return To:
Roy L. Maddox III
25065 S.W. Lona Oak St.
Hillsboro, OR. 97123

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

THIS SPACE

STATE OF OREGON } 63
County of Washington }

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

Jerry R. Hanson, Director of
Assessment and Taxation, Ex-
Officio County Clerk

Doc # 93058736
Rec'd 104543
07/23/1993 10:50:27AM

OTIC 658585w

JUL 23 1993

0000368

MAY 06 1994

62-5101-0000

94044753

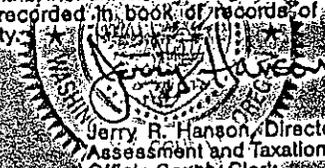
Washington County

Page 1 of 3

STATE OF OREGON
County of Washington

SS

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



Jerry B. Hanson, Director of Assessment and Taxation, Ex-Officio County Clerk

Doc : 94044753

Rect: 121924

38.00

05/06/1994 02:10:39PM

MAY 06 1994

108, 80

Filed for Record at Request of:
When recorded return to:
Name: Mr. and Mrs. Edward M. Stowe, Jr.
Address: 24985 S.W. Lone Oak Street
Hillsboro, Oregon 97123-8522

QUITCLAIM DEED

WE, Edward M. Stowe and Joyce C. Stowe,
husband and wife,

for and in consideration of love and affection,
do hereby CONVEY and QUITCLAIM

TO: Edward M. Stowe, Jr. and Joyce C. Stowe, as Trustees of the Edward M. Stowe, Jr. and
Joyce C. Stowe Revocable Living Trust, dated the 4th day of MAY,
19 94,

any and all ownership interests and title we have in the following described real estate situated in
the County of Washington, State of Oregon, including any after acquired title:

The West 207.5 feet of the East 415 feet of Lot 11, WITCH HAZEL LITTLE FARMS, in
the County of Washington and State of Oregon.

Tax statements are to be sent to Edward M. Stowe, Jr. and Joyce C. Stowe at 24985 S.W. Lone
Oak Street, Hillsboro, Oregon, 97123-8522 until a change is requested. We further give special
power of attorney to the Trustee to execute title transfers as may be required.

The true consideration for this assignment and conveyance is \$0.00 (Zero Dollars).

IN WITNESS WHEREOF, We have set our hands this 4th day of
MAY, 1994.

Edward M. Stowe
EDWARD M. STOWE, GRANTOR

Joyce C. Stowe
JOYCE C. STOWE, GRANTOR

2

002956

SEP 30 1997

1589
240

RECORDING REQUESTED BY
FIDELITY NATIONAL TITLE COMPANY OF OREGON

GRANTOR'S NAME
Duane R. Braun, Trustee and June C. Braun, Trustee

GRANTEE'S NAME
R. Gregory Nelson and Kelly A. Nelson

SEND TAX STATEMENTS TO:
Mr. and Mrs. R. Gregory Nelson
24925 SW Lone Oak Street
Hillsboro, OR 97123

AFTER RECORDING RETURN TO:
Mr. and Mrs. R. Gregory Nelson
24925 SW Lone Oak Street
Hillsboro, OR 97123

STATE OF OREGON
County of Washington

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

Jerry R. Hanson, Director of Assessment and Taxation, Ex-Officio County Clerk

Doc: 97091771
Rect: 195207
09/30/1997 04:16:14pm

273.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Braun Family Trust, Duane R. Braun, Trustee and June C. Braun, Trustee, Grantor, conveys and warrants to R. Gregory Nelson and Kelly A. Nelson as tenants by the entirety, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Washington, State of Oregon.

The East 207.5 feet of Lot 11, WITCH HAZEL LITTLE FARMS, Washington County, Oregon.

Subject to and excepting:
1997-1998 Property Taxes, a lien due but not yet payable

WASHINGTON COUNTY
REAL PROPERTY TRANSFER TAX
\$ 240.00
09/30/97
FEE PAID DATE

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$239,500.00 (See ORS 93.030)

DATED: September 28, 1997

Duane R. Braun, Trustee by Carol Davidson, Attorney
June C. Braun, Trustee by Carol Davidson, Attorney

FIDELITY NATIONAL TITLE CO: 04-40313

FORM No. 159 - ACKNOWLEDGMENT BY ATTORNEY IN FACT

STATE OF OREGON,
County of Washington

On this the 26th day of September, 1997, personally appeared Carol Davidson who, being duly sworn (or affirmed), did say that she is the attorney in fact for Duane R. Braun, Trustee and June C. Braun, Trustee and that she executed the foregoing instrument by authority of and in behalf of said principal; and she acknowledged said instrument to be the act and deed of said principal.

OFFICIAL SEAL
CONNIE M. WOODS
NOTARY PUBLIC - OREGON
COMMISSION NO. 301848
MY COMMISSION EXPIRES SEP 21, 2001

Before me:
Connie M. Woods
(Signature)
Connie M. Woods
(Notary Public)

EXHIBIT B

FINDINGS IN SUPPORT BEAMAN ET. AL. ANNEXATION FILE NO. AN 31-04

I. BACKGROUND INFORMATION AND SITE DESCRIPTION

Eight petitioners representing five properties requested City Council approval for annexation of approximately 14.45 acres into the City Limits of Hillsboro.

The properties under consideration are located generally north of SW Lone Oak Street, south of SW Alexander Street and west of SW 247th Avenue. The properties can be specifically identified as Tax Lots 300, 400 and 500 on Washington County Tax Assessor's Map 1S2-9DA and Tax Lots 700 and 800 on Washington County Tax Assessor's Map 1S2-9DB. The assessed value of the properties is \$1,358,250. The Measure 50 Base Value is \$610,020.

The properties have been used for crop cultivation. To the immediate north there is an open space corridor, beyond which is an existing single-family residential neighborhood. To the south and east is the previously approved Brookwood Crossing Planned Unit Development. To the west is an area of vacant open space within which a section of Witch Hazel Creek and a forested area are located. Single family residences and associated accessory structures are located on each tax lot, which are addressed at 24925 SW Lone Oak Street, 24985 SW Lone Oak Street, 25065 SW Lone Oak Street, 25145 SW Lone Oak Street and 25205 SW Lone Oak Street.

II. PROCEDURAL REQUIREMENTS

In accordance with ORS 222.125 the petition for annexation from the property owners constituted 100 percent of the property owners and at least 50 percent of the registered voters residing on the property. Notice of the proposed annexation was given as specified by Metro Code Chapter 3.09.030 and ORS 222.120. A staff report was prepared and available 15 days prior to the hearing as stipulated by Metro Code Chapter 3.09.050. A public hearing on the matter was conducted by the City Council on February 1, 2005.

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 site is part of the Hillsboro Urban Planning Area Agreement (UPAA), which establishes a relationship between the City of Hillsboro and Washington County, delegating planning authority to the City of Hillsboro. Since the City of Hillsboro will ultimately have responsibility for planning for the properties, it is appropriate to apply provisions of the UPAA to the subject petition for annexation. The City has initiated a concept plan for the area where the properties are located called the Witch Hazel Village Community Plan. Proposed City Comprehensive Plan amendments to incorporate the WHVCP and amendments to the City Zoning Ordinance were presented to the Hillsboro Planning Commission as amendment HCP 5-03 on December 10th, 2003. The Planning Commission recommended City Council adoption of the amendment to the Comprehensive Plan that would incorporate the Witch Hazel Village Community Plan. The City Council held a work session on January 20, 2004 to discuss adoption of the WHVCP. Final adoption of the WHVCP occurred on February 3, 2004.

- 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 that 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 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 the applicable Comprehensive Plan policies and implementation measures listed on pages 2 and 3. In particular, the annexation would be consistent with Section 23. General Development Policies (II)(I), supporting annexation phasing for land within the Witch Hazel Village Community Plan area, represented by Witch Hazel Village Figure 16: Composite Phasing Plan. The properties have been recommended for A-1 Duplex Residential zoning, and the City Council will consider the recommended zone immediately following approval of the annexation (Casefile No. ZC 1-05).

Pursuant to the Zoning Ordinance Section 131.A (3)(a), that portion of the site identified as Impact Area or Potential Resource would be included in the Significant Natural Resource Overlay.

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

FINDING: All necessary public facilities and services needed to support residential development of the site are readily available and accessible to the Site. Available public services are documented in the Witch Hazel Village Community Plan. The evidence in support of the WHVCP addresses MC 3.09.050(d)(5), and is herein

incorporated by reference. Specifically, the supporting evidence demonstrates that the following public services and utilities are available:

- Adjacent to a 10-inch waterline from SW Davis Road to Witch Hazel Road
- An 8-inch sewer line extending from the CWS treatment center at River Road to SW Davis Road.
- A 24-inch storm drain system in SW Davis Road that expands to a 30-inch line as it moves westward toward SW River Road.
- Fire protection; 3000 feet away from Hillsboro Fire Station No. 102.
- Police protection provided through the City of Hillsboro
- Witch Hazel Elementary School located at SW 247th Avenue and SW Davis Road.

Annexing the site promotes the timely, orderly and economic provisions of public facilities and services because it will extend the services that are available from the east to the west, so that ultimately other more western properties within the WHVCP will have public facilities and services available.

- 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 18, 2005.