

Final Documents

For

Annexation to the
City of Hillsboro

WA0702
DOR 34-1540-2002
Ordinance #5103
Sec. State: AN-2002-0044

Final to DOR: _____

Signature:

 _____

Date of
Mailing: 2/8/02

Final to Secretary of State: _____

Signature:

 _____

Date of
Mailing: 02/19/02

WA0702

Sent

Received

DOR:

2/8/02

2/19/02

Sec. State:

2/19/02

3/13/02

Assessor:

2/19/02

Elections:

2/19/02

Mapped:

Yes

Posted to Web:

3/15/02

Addresses:

11S2W10AD00800

2820 SW 226th

Proposal No. WA0702

1S2W10

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 exceptional accuracy. There are no

County lines

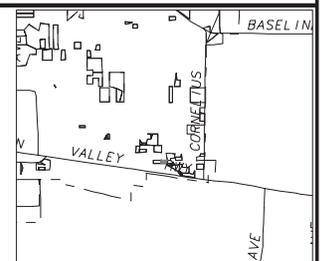
City

Annexation boundary

Urban Growth Boundary

Proposal No. WA0702
CITY OF HILLSBORO
Figure 1

Scale: 1" = 250'



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 13, 2002

Metro
600 NE Grand Ave
Portland, OR 97232-2736

Dear Mr. Martin:

Please be advised that we have received and filed on February 22, 2002 the following Annexation(s).

Ordinance(s):	City of:	Our File Number(s):
2002-02	Tigard	AN 2002-0039
02-03	Happy Valley	AN 2002-0043
5103	Hillsboro	AN 2002-0044

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,

A handwritten signature in cursive script that reads "Rita F. Mathews".

Rita F. Mathews
Official Public Documents

cc: Washington County
Clackamas 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
February 19, 2002
As Per ORS 308.225

Description Map received from: METRO
 On: 2/12/02

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

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

ORD. #5103

has been: Approved 2/19/02
 Disapproved

Notes:

Department of Revenue File Number: 34-1540-2002

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. 5103
AN 22-01: BOYD

APPROVED TO BE
COLLECTED
Amber Deming

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 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 15, 2002, 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;

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.

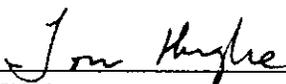
Section 2. The tract of land annexed by this ordinance and described in Section 1 is withdrawn from the following districts upon the effective date of the annexation: Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; Washington County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

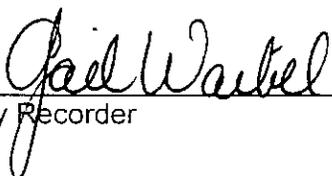
Section 4. Inasmuch as it is necessary that this annexation become effective soon, so as to avoid unnecessary hardship to the property owners and allow for the immediate provision of City services, an emergency is declared to exist and this ordinance shall become effective immediately upon its passage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

Passed by the Council this 15th day of January, 2002.

Approved by the Mayor this 15th day of January, 2002.



Mayor

ATTEST: 

City Recorder

City of Hillsboro
Annex 22-01: Boyd
Proposed legal description
NS, December 6, 2001

Exhibit 'A'

A tract of land in Section 10, Township 1 South, Range 2 West, Willamette Meridian, Washington County, Oregon, more particularly described as follows:

Commencing at the southwest corner of Lot 5, Block 5, of Ladd and Reed Acres, a duly recorded subdivision in said county;

thence North $1^{\circ}17'$ East, along the west line of said lot, a distance of 11.2 feet, to the TRUE POINT OF BEGINNING;

thence continuing North $1^{\circ}17'$ East, along the west line of said lot, a distance of 138.8 feet, to the northwest corner of said lot;

thence continuing North $1^{\circ}17'$ East, along the west line of Lot 4, Block 5, of said subdivision, a distance of 4.35 feet;

thence South $88^{\circ}37'$ East, parallel with the south line of said lot, a distance of 300 feet, to a point on the east line of Lot 3, Block 5, of said subdivision;

thence South $1^{\circ}17'$ West, along the east line of said lot, a distance of 4.35 feet, to the northeast corner of Lot 5, Block 5, of said subdivision;

thence continuing South $1^{\circ}17'$ West, along the east line of said lot, a distance of 138.8 feet;

thence North $88^{\circ}37'$ West, parallel with the south line of said lot, a distance of 300 feet, to the TRUE POINT OF BEGINNING.

* - - Property Data Selection Menu - -

Owner: BOYD, DONALD E FRANCES E
Prop ID : R341080 (Real Estate) (72243) 2820 SW 226TH AVE
Map Tax Lot: 1S210AD-00800 HILLSBORO, OR 97123
Legal : LADD & REED ACRES, BLOCK 5, LOT PTS
3-5, ACRES .99

Situs : 2820 SW 226TH Year Built : 1952
Living Area: 1068

Name(s) :
Code Area : 029.27

Sale Info :	2001 Roll Values		
Deed Type :	Improvements	\$	41,690 (+)
Instrument:	Land	\$	214,200 (+)
2001 Tax Status * No Taxes Due *	Appraised	\$	255,890 (=)
Current Levied Taxes : 1,519.33	Exemptions	\$	0 (-)
Special Assessments :	Taxable RMV	\$	255,890 (=)
2002-03 SB125 Taxes :	M50 Assessed	\$	105,100

 (1) Alt Disp | (2) Primary | (3) Secondary
 (4) Land/Impr | (5) Gen Appr | (.) More

Enter Option from Above or <RET> to Exit: __

<< Washington County Public Service's Report 11/29/2001 9:35:33 AM>>

358/324

KNOW ALL MEN BY THESE PRESENTS, That NORTHWEST HOMES CO.,

a corporation, organized under the laws of the State of Oregon in consideration of the sum of Ten and No/100 Dollars, and other good and valuable consideration

to it paid by DONALD E. BOYD and FRANCES E. BOYD, husband and wife,

of the County of Washington State of Oregon, has bargained and sold, and by these presents does grant, bargain, sell and convey unto the said Donald E. Boyd and Frances E. Boyd, their executors, administrators, heirs and assigns, all the following bounded and described real property, situated in the County of Washington State of Oregon to-wit:

The South 4.35 feet of Lots Three (3) and Four (4), and all of Lot Five (5), except the South 11.2 feet thereof, Block Five (5), Ladd and Reed Acres, as shown on the duly recorded map and plat thereof.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining and all right, title and interest in and to the same.

TO HAVE AND TO HOLD the above described granted and sold premises unto the said Donald E. Boyd and Frances E. Boyd, their executors, administrators, heirs and assigns forever.

Done by order of the Board of Directors, with the seal of said corporation.

this 9th day of July 1954

Executed in the presence of

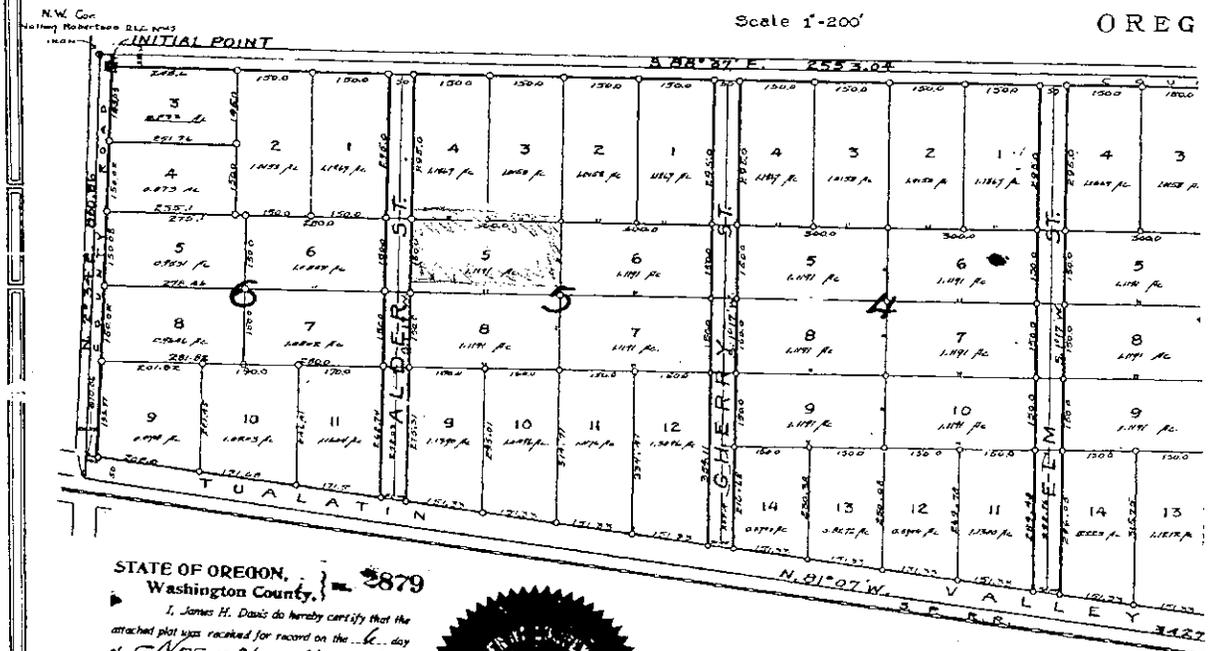
NORTHWEST HOMES CO. (SEAL)

By Stanley Goodman President

By Joseph Larkin Secretary

LADD & REE

In The Nathan. Ro
T1 S.R.2W WILLMER V
Scale 1"=200'
OREG



STATE OF OREGON, }
Washington County, } 3879

I, James H. Davis do hereby certify that the attached plat was recorded for record on the 6th day of Nov., 1926, at 11 o'clock A.M., and recorded on page 32 in Book 8 of Records of Plats of said County.
Witness my hand hereunto set and seal of office affixed this 6th day of Nov. A. D. 1926
James H. Davis
Recorder of Conveyances.



Approved Nov 6 1926 *[Signature]*
" Nov 6 1926 *[Signature]*
" Nov 6 1926 *[Signature]*
" Nov 6 1926 *[Signature]*

Taxes paid from 1915 to 1925 by *[Signature]*
Attest this 6th day of Nov 1926

Edw. C. Lance
County Clerk

Surveyor's certificate subscribed and sworn to before me this 6th day of Nov 1926

Edw. C. Lance
County Clerk

State of Oregon }
County of Washington } S.S.

I, E.L. Hobbs, County Surveyor for Washington County, Oregon, hereby certify that in Oct. 1926 I a carefully surveyed and subdivided the following described tract of land as shown on attached plat, to-wit: Beginning at an iron of the NW corner of the Nathan Robertson Tr. E. 1/4 S. 1/4 T. 1 S. R. 2 W. Willmer, Oregon; and running thence along the north line of said claim, S. 88° 57' E. - 2553.04 ft. to an iron pipe at angular corner on the north line of said claim; thence continuing along said claim line S. 88° 57' E. - 1401.66 ft. to an iron pipe; thence S. 0° 0' E. - 1018.6 ft. to an iron pipe; thence N. 87° 07' W. - 800 ft. thence along south line said highway, N. 87° 07' W. - 380 ft. to an iron pipe; thence S. 87° 07' W. - 712 ft. to an iron pipe on the north line of the S. P. R. R. right-of-way; thence along said R.R. right-of-way boundary, N. 87° 07' W. - 3487.07 ft. to a point on the west line of the Nathan Robertson Tr. E. 1/4 S. 1/4 T. 1 S. R. 2 W.; thence along said claim line, N. 87° 34' E. - 860.36 ft. to the place of beginning, excepting therefrom the lands included within the right-of-way of the State Highway as shown on attached plat and included in the boundaries of road designated as Plawtherne ST on said plat containing, with said areas accepted, 32.074 Acres.
That the initial point is a 2" x 3/4" iron pipe driven 6 inches below the surface at NW corner of lot 3 Block 6 and is 3879' E. 2553 ft and 6,270' W. 28 ft. from the NW corner of the said Robertson claim. Bearings of all lots adjoining ALDER, ENERGY, ELM, and OAK streets are calculated to center of streets, true pipe and stakes at each lot corner.

E. L. Hobbs
County Surveyor

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C.
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EXHIBIT B

FINDINGS IN SUPPORT BOYD ANNEXATION FILE NO. AN 22-01

I. BACKGROUND INFORMATION AND SITE DESCRIPTION

One petitioner representing one property requested City Council approval for annexation of approximately 0.99 acres into the City Limits of Hillsboro.

The property under consideration is located generally east of SW 226th Avenue, west of SW 224th Avenue, north of Tualatin Valley Highway, and south of SW Johnson Street. The property can be specifically identified as Tax Lot 800 on Washington County Tax Assessor's Map 1S2-10AD. The assessed value of the property is \$255,890.

The property is relatively flat with trees scattered along the southern boundary of the site. A single-family residence is located on Tax Lot 800 and is addressed at 2820 SW 226th Avenue.

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 December 4, 2001.

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 (Senate Bill 122) 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 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 RH – High Density Residential which is consistent with the regional urban growth goals and objectives. The property will be rezoned to A-4 Multi Family Residential pursuant to Section 97 of Hillsboro Zoning Ordinance No. 1945, unless the property owner applies for a different single family residential zone.

- 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 six-inch Tualatin Valley Water District line located in the SW 226th Avenue right-of-way. Sanitary sewer is available through an eight-inch City line also located in the SW 226th Avenue right-of-way. Storm water disposal is available through a twelve-inch City line approximately 150 feet to the north and adjacent to SW 226th Avenue.

Fire and police protection would be provided by the City of Hillsboro and the property 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

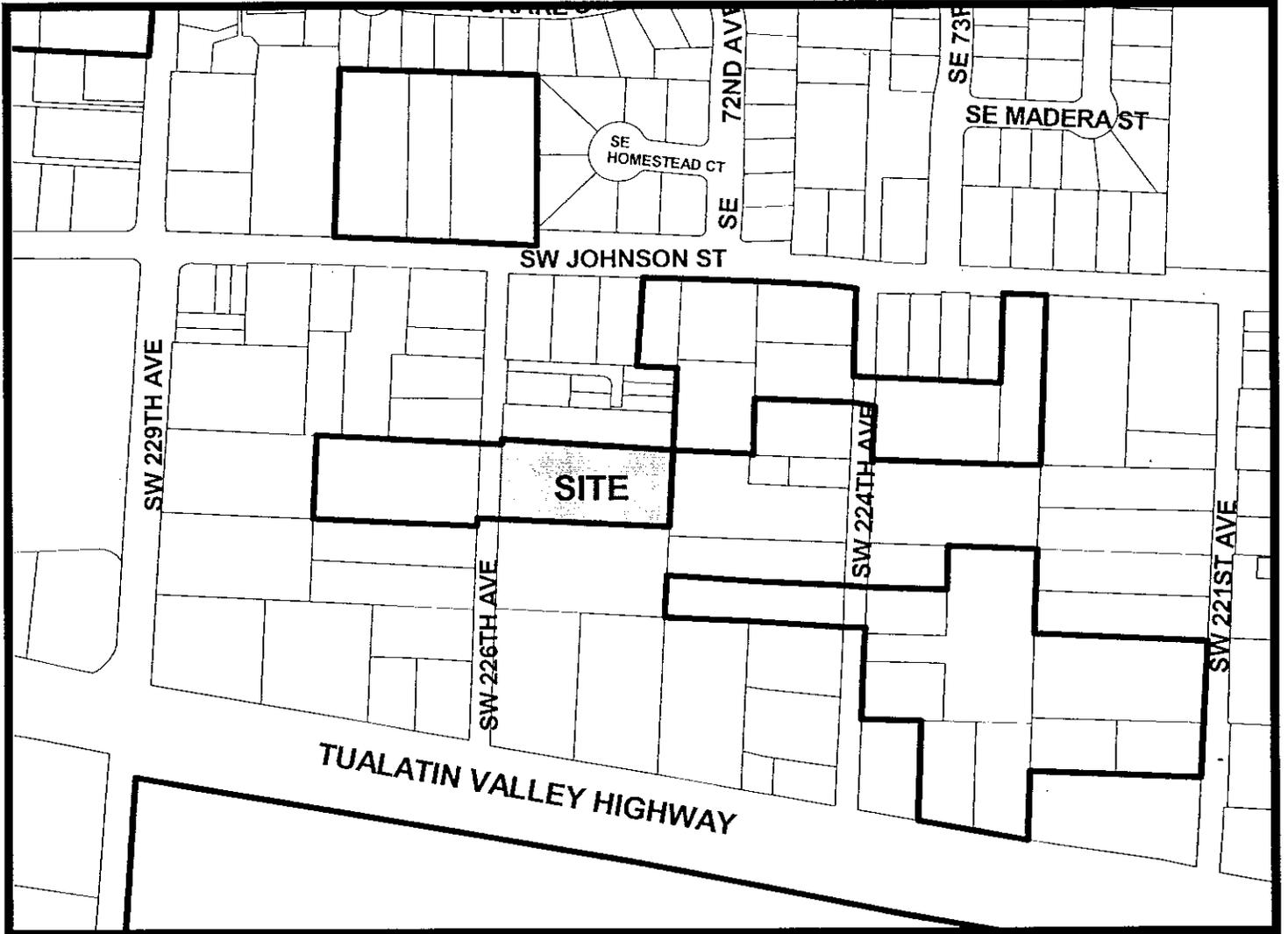
IV. TESTIMONY FROM NECESSARY PARTIES

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.

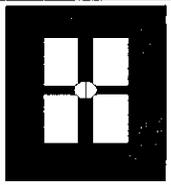
V. ADDITIONAL MATERIALS CITED BY REFERENCE AND INCLUDED IN FINDINGS

- Staff Report dated December 31, 2001

AN 22-01 BOYD



-  Hillsboro City Limits
-  Site



**CITY OF
HILLSBORO**

PLANNING DEPARTMENT (503) 681-6153

