

Final Documents

For

Annexation to the  
**City of Hillsboro**

WA1104  
Ord. #5349  
DOR 34-1657-2004  
Sec. State: AN-2004-0071

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

Signature:

\_\_\_\_\_

Date of  
Mailing: 3/5/04

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

Signature:

\_\_\_\_\_

Date of  
Mailing: 3/16/04

WA1104

Sent

Received

DOR:

3/5/04

3/16/04

Sec. State:

3/16/04

3/23/04

Assessor:

3/16/04

Elections:

3/16/04

Mapped:

Yes

Addresses:

1N325AB01800

3450 NW 313<sup>th</sup> Ave

# Proposal No. WA1104

1N3W25

Annexation to the City of Hillsboro

Washington Co.



R E G I O N A L L A N D I N F O R M A T I O N S Y S T E M



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

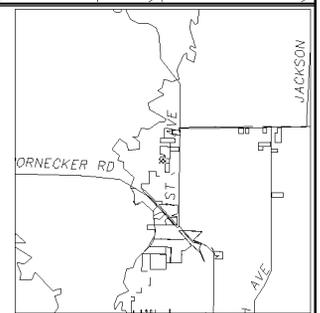
City

Annexation boundary

Urban Growth Boundary

Proposal No. WA1104  
CITY OF HILLSBORO  
Figure 1

Scale: 1" = 250'



Office of the Secretary of State

Bill Bradbury  
Secretary of State



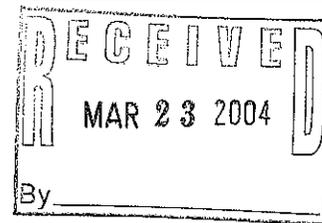
Archives Division  
ROY TURNBAUGH  
Director

800 Summer Street NE  
Salem, Oregon 97310  
(503) 373-0701

Facsimile (503) 373-0953

March 19, 2004

Metro  
Robert Knight  
600 NE Grand Ave  
Portland, OR 97232-2736



Dear Mr. Knight:

Please be advised that we have received and filed on March 19, 2004 the following Annexation(s).

Ordinance(s):	Jurisdiction:	Our File Number(s):
ORD NO 5349	City of Hillsboro	AN 2004-0071
ORD NO 5350	City of Hillsboro	AN 2004-0072
ORD NO 5351	City of Hillsboro	AN 2004-0073

Determination of the effective date for all the above Final Order(s) 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,

Linda Bjornstad  
Official Public Documents

cc: County Clerk  
ODOT/Highway Dept  
PSU/Population Research Ctr.  
Revenue Cartography Section

AN 2004-0071

**FILED**

MAR 19 2004

ARCHIVES DIVISION  
SECRETARY OF STATE

Final Documents

For

Annexation to the  
City of Hillsboro

WA1104  
Ord. #5349  
DOR 34-1657-2004

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

Signature:

Robert J. Quigley

Date of

Mailing: 3/5/04

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

Signature:

Robert J. Quigley

Date of

Mailing: 3/16/04

**COMPLETED**  
YBJ

FILED

AN 2004-0072

MAR 19 2004  
ARCHIVES DIVISION  
SECRETARY OF STATE

Final Documents

For

Annexation to the  
City of Hillsboro

WA1204  
Ord. #5350  
DOR 34-1656-2004

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

Signature:

Robert J. Guigler

Date of Mailing: 3/5/04

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

Signature:

Robert J. Guigler

Date of Mailing: 3/17/04

COMPLETED  
JBY

AN 2004-0073

**FILED**

MAR 19 2004  
ARCHIVES DIVISION  
SECRETARY OF STATE

Final Documents

For

Annexation to the  
City of Hillsboro

WA1304  
Ord. #5351  
DOR 34-1658-2004

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

Signature:

Robert J. Gault

Date of Mailing: 3/5/04

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

Signature:

Robert J. Gault

Date of Mailing: 3/16/04

**COMPLETED**  
JBJ

# 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  
City Manager  
123 W. Main St.  
Hillsboro, OR 97123

**Description and Map Approved**  
**March 15, 2004**  
**As Per ORS 308.225**

Description     Map received from: METRO  
On: 3/8/2004

This is to notify you that your boundary change in Washington County for  
ANNEX TO THE CITY OF HILLSBORO & WITHDRAWAL FROM SEVERAL DIST.

ORD. #5349

has been:     Approved            3/15/2004  
                   Disapproved

Notes:

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Department of Revenue File Number: 34-1657-2004

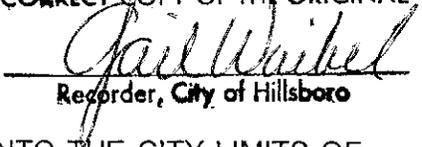
Prepared by: Jennifer Dudley, 503-945-8666

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

CERTIFIED TO BE A TRUE AND  
CORRECT COPY OF THE ORIGINAL

ORDINANCE NO. 5349  
AN 16-03: SWEHOSKY

  
Recorder, City of Hillsboro

AN ORDINANCE ANNEXING A CERTAIN TRACT OF LAND INTO THE CITY LIMITS OF HILLSBORO AND 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 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 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 February 17, 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;

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.

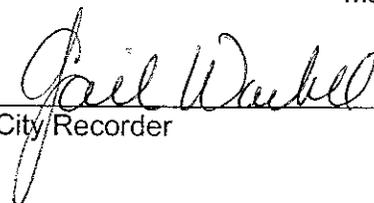
Section 3. The findings attached as Exhibit B are adopted. The City Recorder shall immediately file a certified copy of this Ordinance with Metro and other agencies required by Metro Code Chapter 3.09.050(f) and ORS 222.005. The annexation and withdrawals shall become effective upon filing of the annexation 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 17th day of February, 2004.

Approved by the Mayor this 17th day of February, 2004.

  
\_\_\_\_\_  
Mayor

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

City of Hillsboro  
Annexation 16-03: Swehosky  
Proposed legal description  
NS, January 15, 2004

## Exhibit 'A'

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

Commencing at the southeast corner of Lot 14 of Milne Acres, a duly recorded subdivision in said county;

thence South 90°00'00" West, along the south line of said lot, a distance of 200.0 feet to the POINT OF BEGINNING;

thence South 90°00'00" West, along said south line and the westerly extension thereof, a distance of 240.0 feet to a point on the west right of way line of Northwest 313<sup>th</sup> Avenue;

thence North 0°00'00" East, along said west right of way line, a distance of 184.46 feet;

thence North 90°00'00" East a distance of 40.0 feet to the northwest corner of that tract of land conveyed to Daniel N. Swehosky and Deborah M. Swehosky by deed recorded August 14, 2001 as Document No. 2001082031 in Deed Records of said county;

thence North 90°00'00" East, along the north line of said tract, a distance of 200.0 feet to the northeast corner thereof;

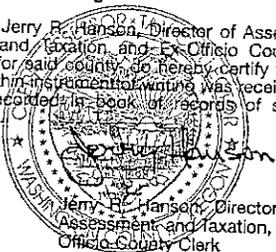
thence South 0°00'00" West, along the east line of said Swehosky Tract, a distance of 184.46 feet to the POINT OF BEGINNING.



5  
116  
115  
C

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 was received and recorded in book of records of said county.



Doc : 2001082031  
Rect: 285580 137.00  
08/14/2001 02:38:19pm

After Recording, Return to:  
Daniel N. Swehosky  
827 NW 1st Place  
Hillsboro OR 97124

Until a change is requested, tax statements shall be sent to the following address:  
Deborah M. Swehosky  
as stated above

**STATUTORY WARRANTY DEED**  
(Individual)

(Above s

WASHINGTON COUNTY 2001-082031



Everett Pickelsimer, Jr. and Donna J. Pickelsimer

conveys and warrants to  
Daniel N. Swehosky and Deborah M. Swehosky, 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:

A part of Lot 14, MILNE ACRES, as shown on the recorded plat thereof in the Records of Washington County, Oregon, to-wit:

Beginning at a point which is 200 feet West and 184.46 feet North of the Southeast corner of said Lot 14, MILNE ACRES, and running thence West parallel to the South line of said tract to the West line thereof; thence South along the West line to the Southwest corner of said Tract 14; thence East along the South line of said Tract 14, a distance of 200 feet; thence North on a line parallel to the West line of said Tract 14 to the point of beginning.

Tax Account Number(s): R0739446

This property is free of encumbrances, EXCEPT:  
2001-02 taxes which are a lien but not yet payable.

Covenants, conditions, restrictions, rights of way, easements and reservations now of record.

The true consideration for this conveyance is \$115,000.00

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

DATED this 8th day of August, 2001.

Everett Pickelsimer, Jr.

Donna J. Pickelsimer

STATE OF OREGON, COUNTY OF Washington)ss.

The foregoing instrument was acknowledged before me this 8th day of August, 2001, by Everett Y. Pickelsimer, Jr. and Donna J. Pickelsimer.

Notary Public for Oregon  
My Commission Expires: 4-23-04



Order No.: 2319753w



WASHINGTON COUNTY  
REAL PROPERTY TRANSFER TAX  
\$115.00 8-14-01  
FEE PAID DATE

## EXHIBIT B

### FINDINGS IN SUPPORT HARRISON ANNEXATION FILE NO. AN 16-03

#### I. BACKGROUND INFORMATION AND SITE DESCRIPTION

Two petitioners representing one property requested City Council approval for annexation of approximately 0.85 acres into the City Limits of Hillsboro.

The property under consideration is located generally north of NW Lenox Street, south of NW Camp Ireland Street, west of NW Glencoe Road and east of NW 313<sup>th</sup> Avenue. The property can be specifically identified as Tax Lot 1800 on Washington County Tax Assessor's Map 1N3-25AB. The total assessed value of the property is \$138,130.

The property has a gentle downward slope to the west with mature trees on the eastern portion of the site. Tax Lot 1800 is vacant and is addressed at 3540 NW 313<sup>th</sup> 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 February 17, 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 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 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 properties is RL – Low Density Residential, which is consistent with the regional urban growth goals and objectives. The properties will be rezoned to R-7 Single Family Residential pursuant to Section 97 of Hillsboro Zoning Ordinance No. 1945, unless the property owners requested either the R-8.5 or R-10 Single Family Residential zoning.

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

**FINDING:** Water is available to the property from an eight-inch City line located in the NW 313<sup>th</sup> Avenue right-of-way. Sanitary sewer is available through a ten-inch City line located in the NW 313<sup>th</sup> Avenue right-of-way. Storm water disposal is available through a fifteen-inch City line located in the NW 313<sup>th</sup> Avenue 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.*

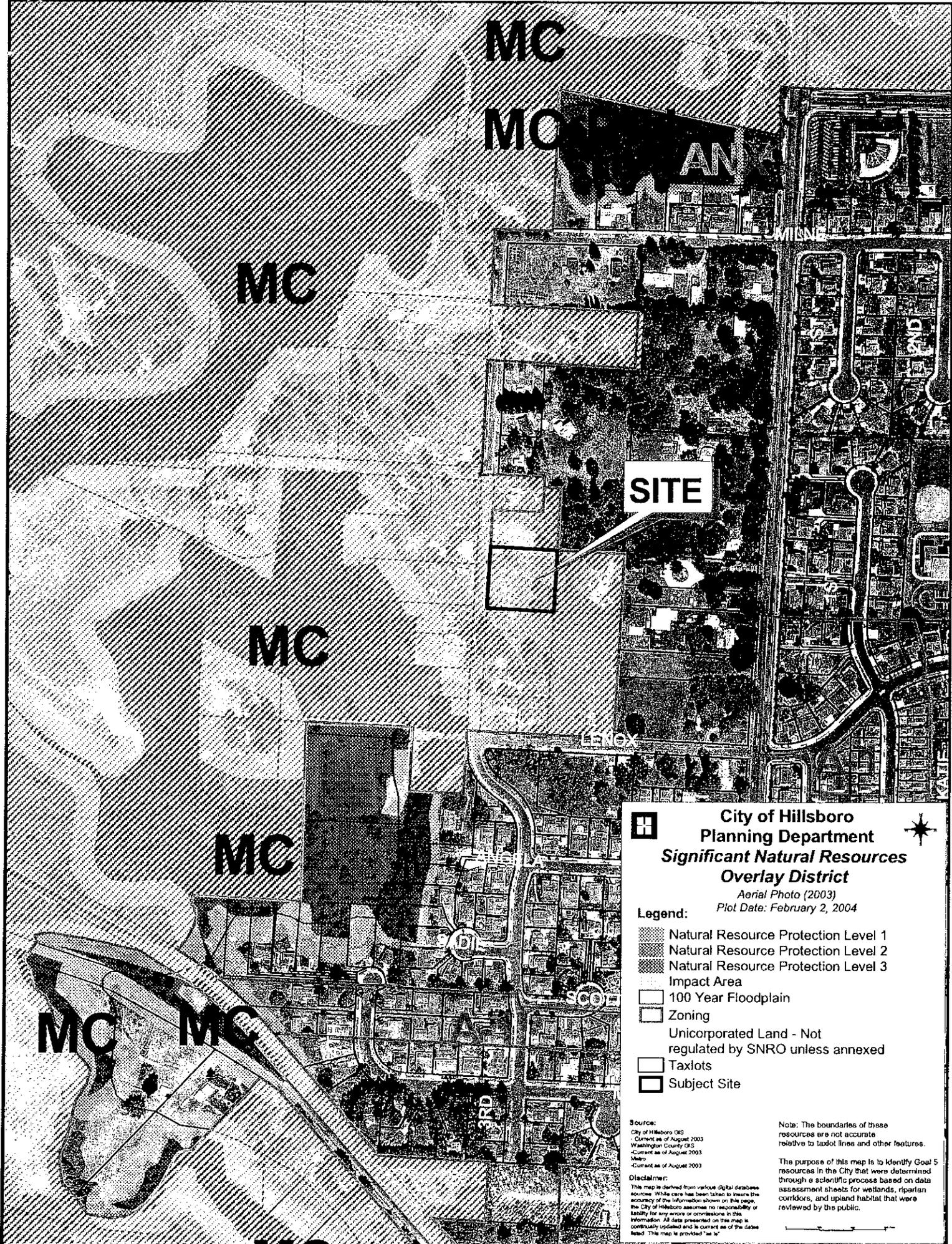
**FINDING:** Pursuant to ORS 222.524, the City of Hillsboro has determined that withdrawal of the properties from the Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; Washington County Service District for Urban Road Maintenance; 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 February 2, 2004



MC  
MO

MC

MC

MC

MC MC

SITE



**City of Hillsboro  
Planning Department  
Significant Natural Resources  
Overlay District**

*Aerial Photo (2003)  
Plot Date: February 2, 2004*

**Legend:**

-  Natural Resource Protection Level 1
-  Natural Resource Protection Level 2
-  Natural Resource Protection Level 3
-  Impact Area
-  100 Year Floodplain
-  Zoning
-  Unincorporated Land - Not regulated by SNRO unless annexed
-  Taxlots
-  Subject Site

**Source:**  
City of Hillsboro GIS  
- Current as of August 2003  
Washington County GIS  
- Current as of August 2003  
Meters  
- Current as of August 2003

**Disclaimer:**  
This map is derived from various digital database sources. While care has been taken to insure the accuracy of the information shown on this page, the City of Hillsboro assumes no responsibility or liability for any errors or omissions in this information. All data presented on this map is continuously updated and is current as of the date listed. This map is provided "as is."

**Note:** The boundaries of these resources are not accurate relative to taxlot lines and other features.

The purpose of this map is to identify Goal 5 resources in the City that were determined through a scientific process based on data assessment sheets for wetlands, riparian corridors, and upland habitat that were reviewed by the public.

