

Final Documents

For

Annexation to the
City of Hillsboro

WA1406

Ordinance 5610

DOR: 34-1788-2006

Sec. State: AN-2006-0148

Property Information:

2965 SE 75th Ave (1S211BC03200)



May 3, 2006

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

Dear Mr. Knight:

Please be advised that we have received and filed, as of May 3, 2006, the following records annexing territory to the following:

Ordinance/Resolution Number(s)	Our File Number
06-62 (Clean Water Services District)	SD 2006-0046
06-63 (Tualatin Valley Water District)	SD 2006-0047
06-38 (Clean Water Services District)	SD 2006-0048
5606 (City of Hillsboro)	AN 2006-0147
5610 (City of Hillsboro)	AN 2006-0148
5620 (City of Hillsboro)	AN 2006-0149
5622 (City of Hillsboro)	AN 2006-0150

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

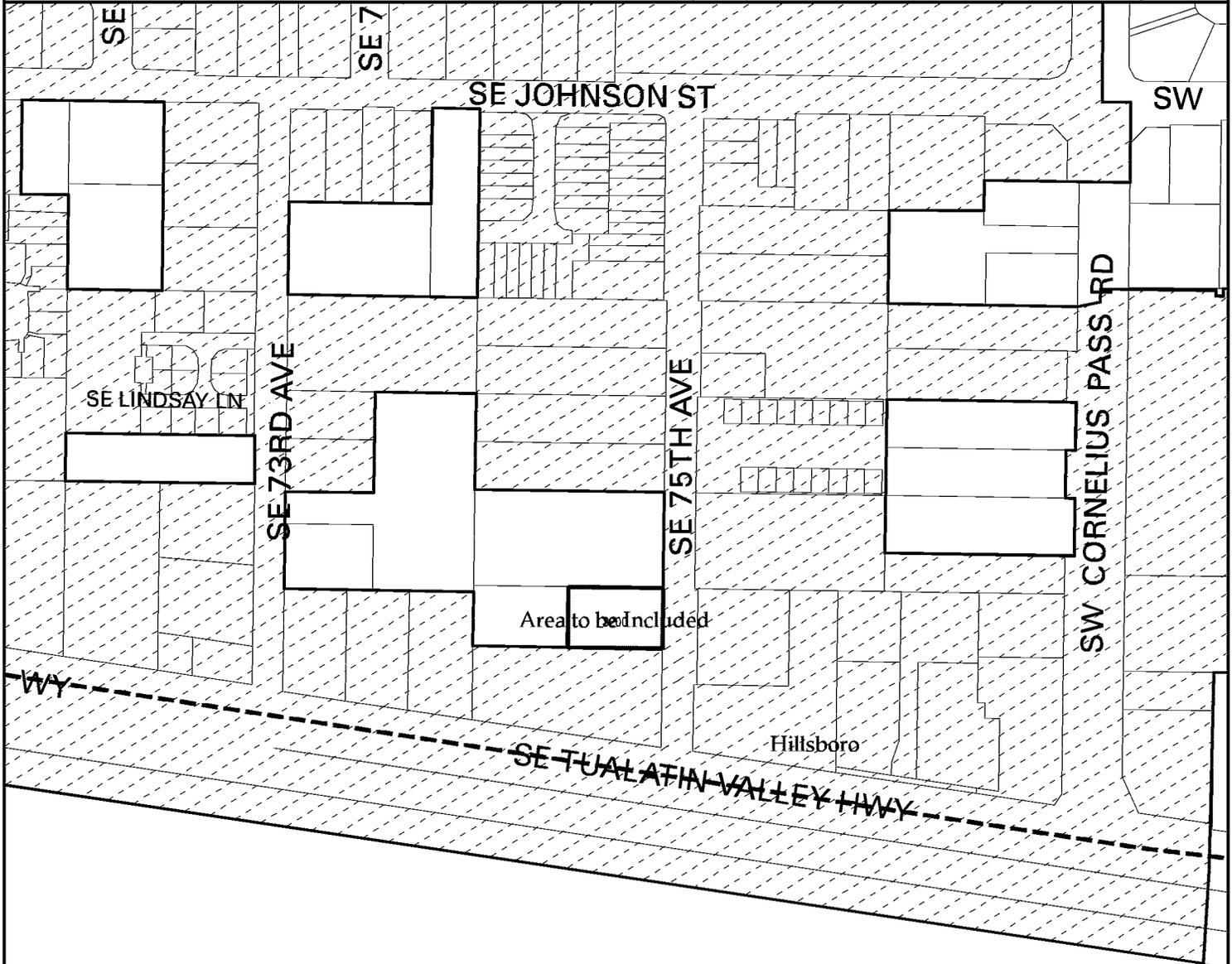
cc: County Clerk(s)
Department of Revenue
ODOT
Population Research Center

Proposal No. WA1406

1S2W11

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

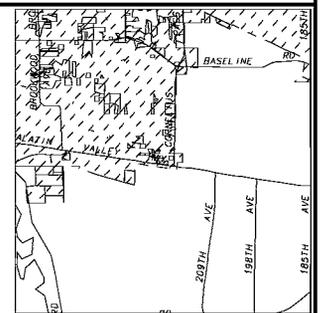
City

Annexation boundary

Urban Growth Boundary

Proposal No. WA1406
CITY OF HILLSBORO
Figure 1

Scale: 1" = 250'



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
April 21, 2006
As Per ORS 308.225

Description Map received from: METRO
 On: 4/14/2006

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

ANNEX TO CITY OF HILLSBORO; WITHDRAW FROM SEVERAL DISTRICTS
 AN 3-06

ORD. #5610 (WA1406)

has been: Approved 4/21/2006
 Disapproved

Notes:

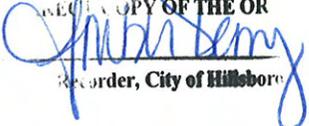
Department of Revenue File Number: 34-1788-2006

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

ORDINANCE NO. 5610
AN 3-06: BUNDY

TO BE A TRUE
COPY OF THE OR

Recorder, City of Hillsboro

AN ORDINANCE ANNEXING A CERTAIN TRACT OF LAND INTO THE CITY LIMITS OF HILLSBORO, WITHDRAWING THE TRACT FROM THE TERRITORIES OF WASHINGTON COUNTY RURAL FIRE PROTECTION DISTRICT NO. 2, WASHINGTON COUNTY SERVICE DISTRICT FOR ENHANCED LAW ENFORCEMENT, WASHINGTON COUNTY SERVICE DISTRICT FOR URBAN ROAD MAINTENANCE, AND WASHINGTON COUNTY SERVICE DISTRICT NO. 1 FOR STREET LIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, the City received a complete petition from the property owner of a certain tract of land, described in 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 No. 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 March 7, 2006, 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.

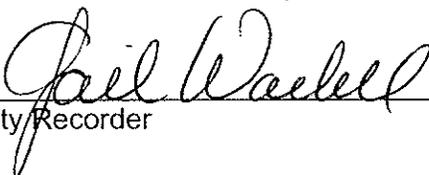
Section 4. Inasmuch as it is necessary that this annexation become effective soon, so as to avoid unnecessary hardship to the property owner and allow for the immediate provision of City services, an emergency is declared to exist and this ordinance shall become effective immediately upon its passage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

Passed by the Council this 7TH day of March, 2006.

Approved by the Mayor this 7TH day of March, 2006.



Mayor

ATTEST: 

City Recorder

City of Hillsboro
Annexation 3-06: Bundy
Proposed legal description
MF, January 31, 2006

Exhibit 'A'

A tract of land in Section 11, Township 1 South, Range 2 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

Beginning at the northeast corner of Lot 11, Block 4, Ladd and Reed Acres, a duly recorded subdivision in said county;

thence North $88^{\circ} 37'$ West, along the north boundary of said lot, a distance of 150.0 feet to the northwest corner thereof;

thence South $1^{\circ} 17'$ West, along the east boundary of said lot, a distance of 94.74 feet to the southwest corner of that tract of land described in deed to Grant W. Carrick and Douglas S. Carrick, recorded 08/01/2000 as document number 2000-061370 in deed records of said county;

thence South $88^{\circ} 37'$ East, along the south boundary of said tract, a distance of 150.0 feet to the east boundary of said lot;

thence North $1^{\circ} 17'$ East, along said boundary, a distance of 94.74 feet to the place of beginning.

*

- - Property Data Selection Menu - -

Prop ID : R347182 (Real Estate) (389900) Owner: CARRICK, GRANT W &
 Map Tax Lot: 1S211BC-03200 CARRICK, DOUGLAS S
 Legal : LADD & REED ACRES, BLOCK 4, LOT PT 4875 NW KAHNEETA DR
 11, ACRES .33 PORTLAND, OR 97229

Situs : 2965 SE 75TH AVE, Year Built : 1920
 OR Living Area: 720

Name(s) :

Code Area : 029.26

Sale Info : 07/31/00 \$130,000

Deed Type : DW

Instrument: 2000061370

2005 Tax Status * No Taxes Due *

Current Levied Taxes : 969.64

Special Assessments :

2006-07 SB125 Taxes :

2005 Roll Values

RMV Land	\$	161,720 (+)
RMV Improvements	\$	21,750 (+)
RMV Total	\$	183,470 (=)
Total Exemptions	\$	0
M5 Net Value	\$	183,470
M50 Assd Value	\$	69,270

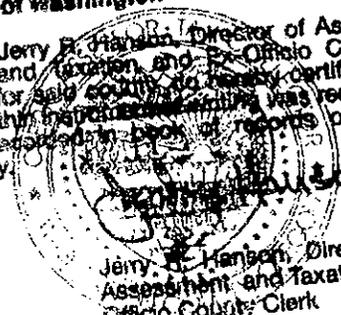
(1) Alt Disp
 (4) Land/Impr

(2) Primary
 (5) Gen Appr

(3) Secondary
 (.) More

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

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



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

Doc : 2000061370
Rect: 259979 157.00
08/01/2000 10:34:10am

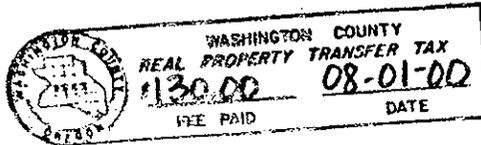
1-2

WARRANTY DEED - STATUTORY FORM
Individual/Corporate

Escrow Number: 2319145

Laura May Allan
Grantor, conveys and warrants to
Grant W. Carrick, and Douglas S. Carrick
Grantee, the following described real property free of encumbrances except as
specifically set forth herein situated in Washington County, Oregon:

The North 94.74 feet of Lot 11, Block 4, LADD AND REED ACRES, in the County of
Washington and State of Oregon.



The above described property is free from encumbrances except covenants, conditions,
restrictions, rights of way, easements and reservations now of record and
2000-2001 taxes if not yet payable.

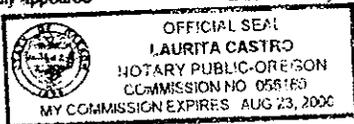
The true and actual consideration for this conveyance is \$ 130,000.00

Dated this 31st day of July, 2000; if this deed is given by a corporate grantor, its name is signed by its
authorized officers by authority of the Board of Directors.

Laura May Allan
Laura May Allan

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.

STATE OF OREGON, County of Washington STATE OF OREGON, County of
Personally appeared Laura May Allan Personally appeared



who, being duly sworn, each for himself and not one for the other, did say that
the former is the _____ and that the latter is the _____ secretary of

and acknowledged the foregoing
instrument to be her voluntary act and deed

and that this instrument was signed on behalf of the corporation, by authority of
its board of directors and is acknowledged to be its voluntary act and deed.
Before me:

Before me: July 31, 2000

Laurita Castro
Notary Public for Oregon

My commission expires: 8-23-00

Notary Public for Oregon

My commission expires:

After recording return to:

Mr. Grant Carrick & Mr. Douglas Carrick
4475 NW Kahneeta Drive
Portland, Oregon 97229

Until a change is requested all tax statements
shall be sent to the following address.

Mr. Grant Carrick & Mr. Douglas Carrick
4475 NW Kahneeta Drive
Portland, Oregon 97229

STATE OF OREGON.

County of _____

I certify that the within instru-
ment 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/title instrument/
microfilm/reception No. _____
Records of Deeds of said county.

Witness my hand and seal of
County affixed.

NAME TITLE
BY _____ Deputy

TRANSACTION W 276367AE
TITLE INSURANCE 2319145 LC

71542C
M L 10/15
1/17/00

EXHIBIT B

FINDINGS IN SUPPORT BUNDY ANNEXATION FILE NO. AN 3-06

I. BACKGROUND INFORMATION AND SITE DESCRIPTION

One petitioner representing one property requested City Council approval for annexation of approximately 0.33 acres into the City Limits of Hillsboro.

The property under consideration is located generally west of SE 75th Avenue, north of SE Tualatin Valley Highway, east of SE 73rd Avenue, and south of SE Johnson Street. The property can be specifically identified as Tax Lot 3200 on Washington County Tax Assessor's Map 1S2-11BC. The assessed value of the property is \$69,270. The Measure 50 Base Value is \$67,260.

The property is generally flat and has scattered trees. A single family residence is located on Tax Lot 3200, which is addressed at 2965 SE 75th Avenue.

II. PROCEDURAL REQUIREMENTS

In accordance with ORS 222.125 the petition for annexation from the property owner constituted 100 percent of the property owners and at least 50 percent of the registered voters residing on the property. Notice of the proposed annexation was given as specified by Metro Code Chapter 3.09.030 and ORS 222.120. A staff report was prepared and available 15 days prior to the hearing as stipulated by Metro Code Chapter 3.09.050. A public hearing on the matter was conducted by the City Council on March 7, 2006.

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 C - Commercial, which is consistent with the regional urban growth goals and objectives. The property has been recommended for C-1 General Commercial zoning, and the City Council will consider the recommended zone immediately following approval of the annexation (Casefile No. ZC 4-06).

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

FINDING: A six-inch City water line is located in the SE 75th Avenue right-of-way. An eight-inch City sanitary sewer line is located in the SE 75th Avenue right-of-way. An Oregon Department of Transportation twelve-inch storm water line is located in the SE Tualatin Valley Highway 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 property 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 20, 2006



AN 3-06, ZC 4-06: BUNDY

Request for Annexation of One Property and a Request for Zone Change Approval from County CBD (Commercial) to City C-1, General Commercial

