

Final Documents

For

Annexation to the
City of Hillsboro

WA1904
Ord. #5356
DOR 34-1663-2004
Sec. State: AN-2004-0084

Final to DOR: _____

Signature:

Date of
Mailing: 3/24/04

Final to Secretary of State: _____

Signature:

Date of
Mailing: 3/31/04

WA1904

Sent

Received

DOR:

3/24/04

3/30/04

Sec. State:

3/31/04

4/13/04

Assessor:

3/31/04

Elections:

3/31/04

Mapped:

Yes

Addresses:

1S204AA00502

240 SW BROOKWOOD



April 1, 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 April 1, 2004 the following Annexation(s).

Ordinance(s):	Jurisdiction:	Our File Number(s):
ORD NO RO-03-149	Tualatin Valley Water District	SD 2004-0025
ORD NO 5356	City of Hillsboro	AN 2004-0084
ORD NO 2374	City of Lake Oswego	AN 2004-0085
ORD NO 2375	City of Lake Oswego	AN 2004-0086
ORD NO 2377	City of Lake Oswego	AN 2004-0087
ORD NO 2379	City of Lake Oswego	AN 2004-0088

Determination of the effective date for all the above Final Order and 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

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 30, 2004
As Per ORS 308.225

Description Map received from: METRO
On: 3/26/2004

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

ORD. #5356

has been: Approved 3/30/2004
 Disapproved

Notes:

Department of Revenue File Number: 34-1663-2004

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

ORDINANCE NO. 5354
AN 3-04: BERNHART

CERTIFIED TO BE A TRUE AND
CORRECT COPY OF THE ORIGINAL
Amberberry
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, 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 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 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 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 March 16, 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.

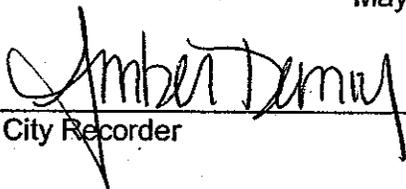
Section 4. Inasmuch as it is necessary that this annexation become effective soon, so as to avoid unnecessary hardship to the property owner and allow for the immediate provision of City services, an emergency is declared to exist and this ordinance shall become effective immediately upon its passage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

Passed by the Council this 16th day of March, 2004.

Approved by the Mayor this 16th day of March, 2004.



Mayor

ATTEST: 

City Recorder

City of Hillsboro
Annexation: Bernhardt
Proposed legal description
NS, February 12, 2004

Exhibit 'A'

A tract of land in Section 4, Township 1 South, Range 2 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

BEGINNING at the initial point of Paladin Estates, a duly recorded subdivision in said county, said point being also the southeast corner of that tract of land conveyed to Douglas Bernhardt and Karen Bernhardt by deed recorded November 5, 1998 as Document No. 98125118 in Deed Records of said county;

thence South $89^{\circ}58'00''$ West, along the south line of said Bernhardt Tract and the westerly extension thereof, a distance of 255.0 feet to a point on the west right of way line of Southwest Brookwood Avenue;

thence North $0^{\circ}01'00''$ West, along said west right of way line, a distance of 76.20 feet;

thence North $89^{\circ}58'00''$ East, along the westerly extension of the north line of said Bernhardt Tract and the north line of said tract, a distance of 255.0 feet to the northeast corner thereof;

thence South $0^{\circ}01'00''$ East, along the east line of said tract, a distance of 76.20 feet to the POINT OF BEGINNING.

107 256

RECORDING REQUESTED BY
FIDELITY NATIONAL TITLE COMPANY OF OREGON

GRANTOR'S NAME
Letha Z. Stocker

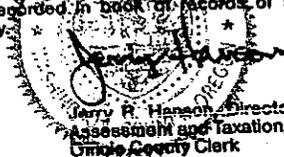
GRANTEE'S NAME
Douglas Bernhardt and Karen Bernhardt

SEND TAX STATEMENTS TO:
Mr. and Mrs. Douglas Bernhardt
21215 SW Murphy Lane
Aloha, OR 97007

AFTER RECORDING RETURN TO:
Mr. and Mrs. Douglas Bernhardt
21215 SW Murphy Lane
Aloha, OR 97007

STATE OF OREGON } SS
County of Washington

I, Jerry P. Hanson, Director of Assessment and Taxation and Executive 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.



Doc : 98125118
Rect: 220127 138.00
11/05/1998 03:46:03pm

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Letha Z. Stocker
Stephen P. Zerich, Grantor, conveys and warrants to

Douglas Bernhardt and Karen Bernhardt 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 West 200 feet of Lot 10, BROOKWOOD SUBDIVISION, Washington County, Oregon, Excepting therefrom the North 60 feet thereof; also Excepting therefrom the South 40 feet thereof.

Subject to and excepting:

Rights of the public and governmental agencies in and to any portion of said land lying within the boundaries of streets, roads and highways.

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 \$107,000.00 (See ORS 93.030)

DATED: November 2, 1998

Letha Z. Stocker
Letha Z. Stocker

FIDELITY NATIONAL TITLE CO. 6025603

WASHINGTON COUNTY
REAL PROPERTY TRANSFER TAX
\$ 107.00 11-05-98
FEE PAID DATE

STATE OF OREGON
COUNTY OF Washington
This instrument was acknowledged before me on
November 5, 1998
by Letha Z. Stocker
Kellie S. Dotter
NOTARY PUBLIC FOR OREGON
MY COMMISSION EXPIRES: 12/20/00

OFFICIAL SEAL
KELLIE S. DOTTER
NOTARY PUBLIC - OREGON
COMMISSION NO. 060055
MY COMMISSION EXPIRES DEC. 20, 2000

OFFICIAL SEAL
KELLIE S. DOTTER
NOTARY PUBLIC - ORF
COMMISSION NO. 06
MY COMMISSION EXPIRES DEC. 2

54
200
107

WARRANTY DEED

GRANTOR: DONALD COOPER

GRANTEE: DOUGLAS BERNHARDT

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

DOUGLAS BERNHARDT
21215 SW MURPHY LANE
ALOHA, OR 97007

Escrow No. W656102GB Title No. W656102

After recording return to:
DOUGLAS BERNHARDT
21215 SW MURPHY LANE
ALOHA, OR 97007

This Space

I, Jerry [unclear] Director of Assessment and [unclear] County Clerk for [unclear] County, do hereby certify that the within [unclear] received and registered [unclear] of said county.

Doc : 97005564
Rect: 179023
01/17/1997 04:07:44pm 140.00

Recorded By TICOR TITLE
65600

STATUTORY WARRANTY DEED

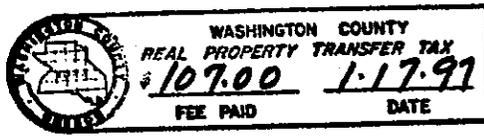
DONALD COOPER AND SHIRLEY BROWN, TENANTS BY THE ENTIRETY, Grantor, conveys and warrants to DOUGLAS BERNHARDT AND KAREN BERNHARDT, HUSBAND AND WIFE, Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in WASHINGTON County, Oregon, to wit:

The North 60 feet of the West 200 feet of Lot 10, BROOKWOOD SUBDIVISION, in the County of Washington and State of Oregon.

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 said property is free from encumbrances except: COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, SET BACK LINES, POWERS OF SPECIAL DISTRICTS, AND EASEMENTS OF RECORD, IF ANY.

The true consideration for this conveyance is \$107,000.00 (Here comply with the requirements of ORS 93.030)

Dated this 17 day of January 19 97



Donald Cooper
DONALD COOPER
Shirley Brown
SHIRLEY BROWN

State of Oregon, County of Washington
The foregoing instrument was acknowledged before me this 17th day of January, 1997 by
DONALD COOPER
SHIRLEY BROWN

Gretchen S Barnes
Notary Public for Oregon
My commission expires: 5-11-98



Deed for Oregon 156 6

88-11804
Washington County

MAR 24 1988

OREGON TITLE INS. CO. 65-3685 W

THIS INDENTURE WITNESSETH: THAT Samuel R. Pierce, Jr. Secretary of Housing and Urban Development, of Washington, D.C., (hereinafter referred to as "Grantor"), in consideration of the sum of Fifty Thousand Two Hundred and Twenty and 00/100 Dollars to him in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does hereby grant, bargain, sell and convey unto Jeffrey C. Lind and Mary Kay Lind, as joint tenants with express rights of survivorship and not as tenants in common. (hereinafter referred to as "Grantee(s)"). the following real property situate in Washington County, State of Oregon, to wit:

PLEASE SEE ATTACHED EXHIBIT "A"

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.

BEING the same property acquired by the Grantor pursuant to the provisions of the National Housing Act, as amended (12 USC 1701 et seq.) and the Department of Housing and Urban Development Act (79 Stat. 667).

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD the said premises, together with the appurtenances, unto the said Grantee(s), and to the heirs and assigns of said Grantee(s), forever.

SUBJECT to all covenants, restrictions, reservations, easements, conditions and rights appearing of record; and SUBJECT to any state of facts an accurate survey would show.

THE SAID GRANTOR, for himself and for his successors in office, does hereby covenant to and with the said Grantee(s), and the heirs and assigns of said Grantee(s), that the said Grantor is the owner in fee simple of said premises, and that the said Grantor will WARRANT and DEFEND the same against the lawful claims and demands of all persons claiming by, from, through or under said Grantor, and none other.

IN WITNESS WHEREOF the undersigned on this 13th day of January 1988, has set his hand and seal as Chief, Property Disposition & SF LM Branch, HUD Area Office, Portland, Oregon, for and on behalf of the said Secretary of Housing and Urban Development, under authority and by virtue of the Code of Federal Regulations, Title 24, Chapter II, Part 200, Subpart D.

Executed in the presence of:

Kevin M. Robinson
J. Wald

Secretary of Housing and Urban Development
Samuel R. Pierce, Jr.

By: *[Signature]* (SEAL)
Chief, Property Disposition & SF LM Branch
Area Office
Area Office, Portland, Oregon

STATE OF OREGON } ss
COUNTY OF MULTNOMAH }

On this 13th day of January 1988, before me appeared J.R. Gyanti who is known to me to be the duly appointed Chief, Property Disposition & SF LM Branch HUD Area Office, Portland, Oregon, and the individual who is described in and who executed this within instrument by virtue of the authority vested in him by the Code of Federal Regulations, Title 24, Chapter II, Part 200, Subpart D, and acknowledged that he signed and sealed the same as his free and voluntary act and deed for and on behalf of Samuel R. Pierce, Secretary of Housing and Urban Development, for the uses and purposes therein mentioned. Given under my hand and official seal the day and year last above written.

Sent to the following statements to:
Jeffrey C. Lind and Mary Kay Lind
235 SW Broadway
Hillsboro, OR 97123

[Signature]
Notary Public in and for the State of Oregon

My Commission Expires: 4/16/91

1-3

EXHIBIT A

North one-half of the following described tract:

A part of Lot 1, VIRGINIA PLACE, in the County of Washington and State of Oregon, described as follows:

Beginning at the Southeast corner of said Lot 1, VIRGINIA PLACE as shown on the duly recorded plat thereof; thence North along the East line of said Lot 1, a distance of 10 rods; thence West parallel to the South line of said Lot, 32 rods; thence South parallel to the East line of said Lot, 10 rods; thence East along the South line of said Lot, 32 rods to the place of beginning.

TOGETHER WITH access easement and maintenance rights thereto described as follows:

An easement for ingress and egress purposes over and across a strip of land 20.00 feet in width, 10.00 feet each side of (when measured at right angles to a centerline lying in a portion of Lot 1 of the duly recorded plat of "VIRGINIA PLACE", situated in the Northeast one-quarter of Section 4, Township 1 South, Range 2 West of the Willamette Meridian, in the County of Washington and State of Oregon, being more particularly described as follows:

Commencing at the Northeast corner of that certain tract of land conveyed to Daniel Easter, et ux, by contract recorded June 5, 1979 and described by Recorder's Fee No. 79-021509, Deed Records, said County; said point being in the West right-of-way line of S.W. Brookwood Avenue (County Road No. 1643-50 feet in width); thence South 0 degrees 01'00" East, along said West right-of-way line, a distance of 63.74 feet to a point; thence South 67 degrees 43'00" West, a distance of 49.38 feet to a point in the North line of the South one-half of said Easter tract and point of beginning of the centerline of the easement herein to be described; thence continuing South 67 degrees 43'00" West, a distance of 6.22 feet to a point; thence South 81 degrees 32'00" West, a distance of 63.30 feet to a point; thence West, a distance of 20.00 feet to a point; thence North 0 degrees 03'00" East, a distance of 11.76 feet to a point in the North line of said South one-half and point of terminus.

TOGETHER WITH an easement for well and waterline purposes over, under and across a portion of Lot 1 of the duly recorded plat of "VIRGINIA PLACE", situated in the Northeast one-quarter of Section 4, Township 1 South, Range 2 West of the Willamette Meridian, in the County of Washington and State of Oregon, being more particularly described as follows:

Commencing at the Northeast corner of that certain tract of land conveyed to Daniel Easter, et ux, by contract recorded June 5, 1979 and described by Recorder's Fee No. 79-021509, Deed Records, said County; said point being in the West right-of-way line of S.W. Brookwood Avenue (County Road No. 1643-50 feet in width); thence South 0 degrees 01'00" East, along said West right-of-way line, a distance of 82.50 feet to the Northeast corner of the South one-half of said Easter tract; thence North 89 degrees 57'00" West along the

Continued on next page

Order No. 87016184-W

North line thereof, a distance of 240.45 feet to the point of beginning of the easement herein to be described; thence South 71 degrees 02'35" West, a distance of 18.26 feet to a point; thence South 18 degrees 57'25" East, a distance of 75.00 feet to the point of terminus.

TOGETHER WITH an easement for drainfield purposes over, under and across a portion of Lot 1 of the duly recorded plat of "VIRGINIA PLACE", situated in the Northeast one-quarter of Section 4, Township 1 South, Range 2 West of the Willamette Meridian, in the County of Washington and State of Oregon, being more particularly described as follows: Commencing at the Northeast corner of that certain tract of land conveyed to Daniel Easter, et ux, by contract recorded June 5, 1979 and described by Recorder's Fee No. 79-021509, Deed Records, said County; said point being in the West right-of-way line of S.W. Brookwood Avenue (County Road No. 1543-50 feet in width); thence South 0 degrees 01'00" East, along said West right-of-way line, a distance of 82.50 feet to the Northeast corner of the South one-half of said Easter tract; thence North 89 degrees 50'00" West, along the North line thereof, a distance of 148.90 feet to the point of beginning of the easement herein to be described; thence South 48 degrees 37'00" East, a distance of 40.58 feet to a point; thence East, a distance of 93.04 feet to a point; thence South, a distance of 50.00 feet to a point; thence West, a distance of 100.00 feet to a point; thence North, a distance of 42.79 feet to a point; thence North 48 degrees 37'00" West, a distance of 51.51 feet to a point in the North line of said South one-half; thence South 89 degrees 57'00" East, along said North line a distance of 15.14 feet to the point of beginning.

STATE OF OREGON }
County of Washington } ss

I, Donald W. Mason, Director of Assessment and Taxation and Ex-Officio Recorder of Conveyances for said county, do hereby certify that the within instrument of writing was received and recorded in book of records of said county.

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

1988 MAR 24 AM 10:46

20062

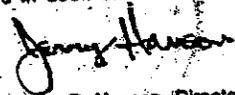


After recording return to:
Steve and Rochelle Robinson
267 SW Brookwood Avenue
Hillsboro, Oregon 97123

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

Steve and Rochelle Robinson
267 SW Brookwood Avenue
Hillsboro, Oregon 97123

Escrow No. 99170012
Title No. 869745

STATE OF OREGON } ss
County of Washington }
I, Jerry R. Hanson, Director of Assessment and Taxation and Ex-Oregon 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-Oregon County Clerk
Doc : 99036310
Rect: 228551 36.00
03/26/1999 11:03:26am

STATUTORY BARGAIN AND SALE DEED

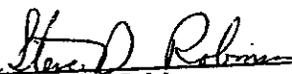
Steven David Robinson and Rochelle Ann Robinson, Grantor, conveys to Steve D. Robinson and Rochelle A. Robinson, Grantee, the following described real property:

see Exhibit "A"

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 consideration for this conveyance is \$00.00 (Here comply with the requirements of ORS 93.030)

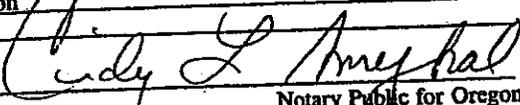
Dated this day of March, 1999.


Steve D. Robinson

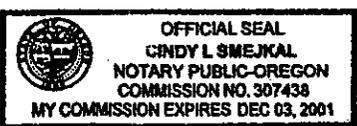

Rochelle A. Robinson

STATE OF Oregon }
County of Washington } ss.

This instrument was acknowledged before me on this 22 day of March, 1999 by Steve D. Robinson and Rochelle A. Robinson


Notary Public for Oregon

My commission expires 12-3-01



Insured by SHEBOA
First American Title Insurance Company of Oregon, Inc.

Loan Number: 1709030013

Date: 3/1/99

Property Address: 267 SW BROOKWOOD AVENUE
HILLSBORO, OR 97123

EXHIBIT 'A'
LEGAL DESCRIPTION

APN # KEY NO. 303978

The South one-half of the following described tract:

A part of Lot 1, VIRGINIA PLACE, in the County of Washington and State of Oregon, described as follows:

Beginning at the Southeast corner of said Lot 1, VIRGINIA PLACE, as shown on the duly recorded plat thereof; thence North along the East line of said Lot 1, a distance of 10 rods; thence West, parallel to the South line of said lot, 32 rods; thence South parallel to the East line of said Lot, 10 rods; thence East along the South line of said lot, 32 rods, to the place of beginning.

EXCEPTING THEREFROM that portion conveyed to Washington County by Deed recorded June 19, 1986 as Fee No. 86 026348.

86026348

DEDICATION DEED
for
SW Brookwood

KNOW ALL MEN BY THESE PRESENTS, that we, Herbert H. Johnson & Effie E. Johnson for value received, does/do hereby grant, bargain, sell and convey unto the public for street and public utility purposes only, the real property described on Exhibit "A", attached. To Have and to Hold, the said described and granted premises for the purpose hereinbefore set forth unto the public forever.

IN WITNESS WHEREOF, We hereunto set our hands and seal on this day the 11th of the month of February, in the year 1986.

Herbert H. Johnson
Herbert H. Johnson

Effie E. Johnson
Effie E. Johnson

STATE OF OREGON)
County of Washington) sss.

On this 11th day of February, 1986, before me, the undersigned a Notary Public in and for said County and State, personally appeared the within named Herbert H. & Effie E. Johnson who are known to me to be the identical individuals described herein 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.

Don Boomer
Notary Public for Oregon Okeana

My Commission expires 11-6-87

The undersigned, being duly constituted and acting City of Hillsboro, Oregon, Planning Commission, do hereby approve the foregoing dedication of land for roadway purposes as therein set forth.

Dated this 27th day of May, 1986.

CITY OF HILLSBORO PLANNING COMMISSION

Cordella J. Miller
President

After recording, please return document to:
City of Hillsboro
Engineering Department
Survey Section, City Hall
Hillsboro, Oregon 97123

1-4

DEDICATION DEED
for

KNOW ALL MEN BY THESE PRESENTS, that we, Daniel E. Easter & Glennis L. Easter for value received, does/do hereby grant, bargain, sell and convey unto the public for street and public utility purposes only, the real property described on Exhibit "A", attached. To Have and to Hold, the said described and granted premises for the purpose hereinbefore set forth unto the public forever.

IN WITNESS WHEREOF, We hereunto set our hands and seal on this day the

20th of the month of February, in the year 1986.

a

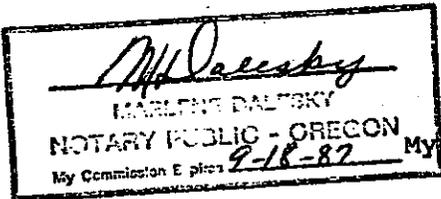
Daniel E. Easter
Daniel E. Easter

Glennis L. Easter
Glennis L. Easter

STATE OF OREGON)
County of Washington) sss.

On this 20th day of February, 1986, before me, the undersigned a Notary Public in and for said County and State, personally appeared the within named Daniel & Glennis Easter who are known to me to be the identical individuals described herein 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.



Marlene Daltry
Notary Public for Oregon
Commission expires 9-18-87

The undersigned, being duly constituted and acting City of Hillsboro, Oregon, Planning Commission, do hereby approve the foregoing dedication of land for roadway purposes as therein set forth.

Dated this 27th day of May, 1986.

CITY OF HILLSBORO PLANNING COMMISSION

Cordella J. Miller
President

After recording, please return document to:
City of Hillsboro
Engineering Department
Survey Section, City Hall
Hillsboro, Oregon 97123

EXHIBIT "A"

Legal description for Mr. Dan Easter
Road dedication - Tax Lot 2200
P.N. April 30, 1986

A portion of Lot 1, VIRGINIA PLACE, in Washington County, Oregon,
further described as follows:

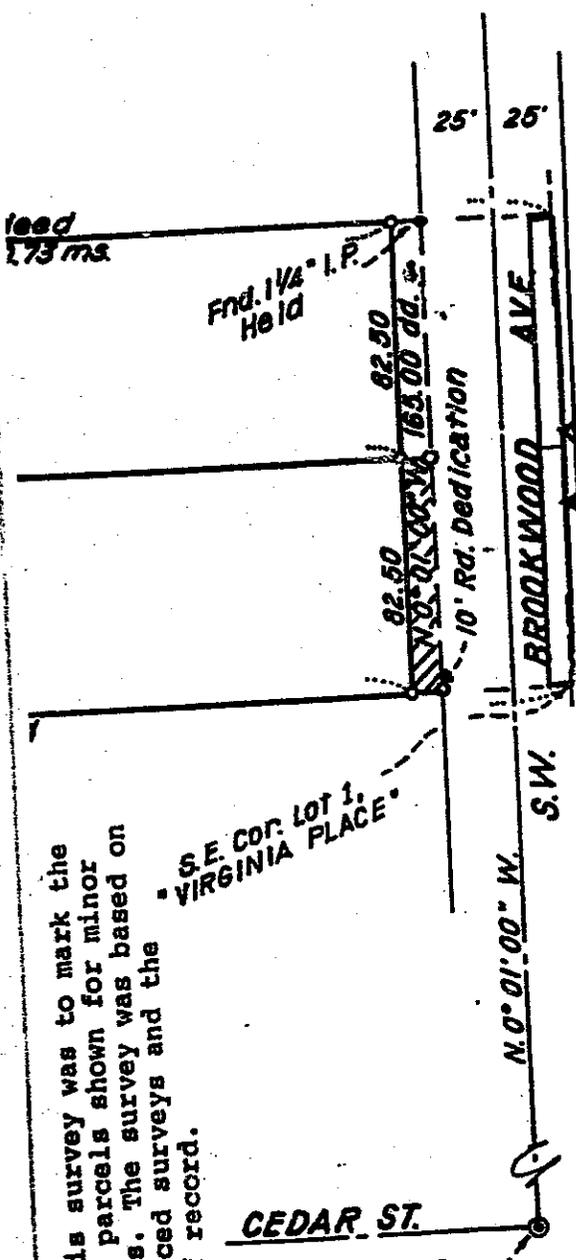
Beginning at the intersection of the south boundary of said Lot 1
with the present west right-of-way line of S.W. Brookwood Avenue
(County Road 1643);

thence westerly, along said south boundary, ten feet;

thence northerly, parallel with said westerly right-of-way line,
82.5 feet to the south boundary of a tract described in deed to
Daniel E. Easter and Glennis L. Easter, husband and wife,
recorded as Document 85027826, Deed Records of Washington County;

thence easterly, along said south boundary, ten feet to the west
right-of-way line of S.W. Brookwood Avenue;

thence southerly, along said line, 82.5 feet to the south
boundary of Lot 1, VIRGINIA PLACE, and the point of beginning.



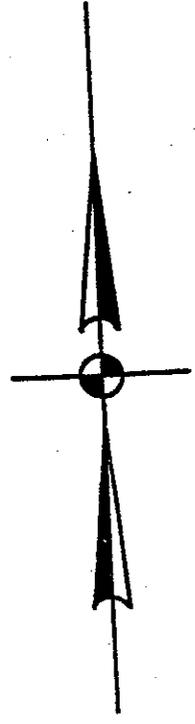
The purpose of this survey was to mark the boundaries of the parcels shown for minor partition purposes. The survey was based on the above referenced surveys and the original deeds of record.

S.E. COR. LOT 1, VIRGINIA PLACE

Fnd. 1/2" I.P. in Mon. Box Held

Fnd. 1/4" I.P. Held

Dedicated parcels per first paragraph of descriptions



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Donald W. Mason

OREGON
REV. 22, 1954
DONALD W. MASON
332

checked by D.E.M.
drawn by D.E.M. 124-86
account no. 5129

SURVEY FOR MINOR PARTITION
Tax Lots 2200 & 2201
situated in the N.E. 1/4 Sec. 4, T. 1S., R. 2W., W.M.
Wash., Co., Oregon

MARX
ASSESSMENTS
Suite 703D • 1217 E. Burnside • P.O. Box 565 • Gresham, Oregon 97030 • (503) 667-5550

STATE OF OREGON
County of Washington

SS

I, Donald W. Mason, Director of Assessment and Taxation and Ex-Officio Recorder of Conveyances for said county, do hereby certify that the within instrument of writing was received and recorded in book of records of said county.

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

4

C 16-13-

86026349

DEDICATION DEED
for
SW Brookwood

KNOW ALL MEN BY THESE PRESENTS, that for value received, does/do hereby grant, bargain, sell and convey unto the public for street and public utility purposes only, the real property described on Exhibit "A", attached. To Have and to Hold, the said described and granted premises for the purpose hereinbefore set forth unto the public forever.

IN WITNESS WHEREOF, We hereunto set our hands and seal on this day the 16th of the month of May, in the year 1986.

Daniel E. Easter Thomas P. Easter

STATE OF OREGON)
County of Washington) sss.

On this 16th day of May, 1986, before me, the undersigned a Notary Public in and for said County and State, personally appeared the within named individuals who are known to me to be the identical individuals described herein 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.

William J. Peterson
Notary Public for Oregon. WILLIAM J. PETERSON
NOTARY PUBLIC OREGON
My Commission expires 11-12-88 My Commission Expires

The undersigned, being duly constituted and acting City of Hillsboro, Oregon, Planning Commission, do hereby approve the foregoing dedication of land for roadway purposes as therein set forth.

Dated this 27th day of May, 1986.

CITY OF HILLSBORO PLANNING COMMISSION
Orville J. Miller
President

After recording, please return document to:
City of Hillsboro
Engineering Department
Survey Section, City Hall
Hillsboro, Oregon 97123

1-3

EXHIBIT "A"

Legal description for Mr. Dan Easter
Road dedication - Tax Lot 2201
P.N. April 30, 1986

A portion of Lot 1, VIRGINIA PLACE, in Washington County, Oregon,
described as follows:

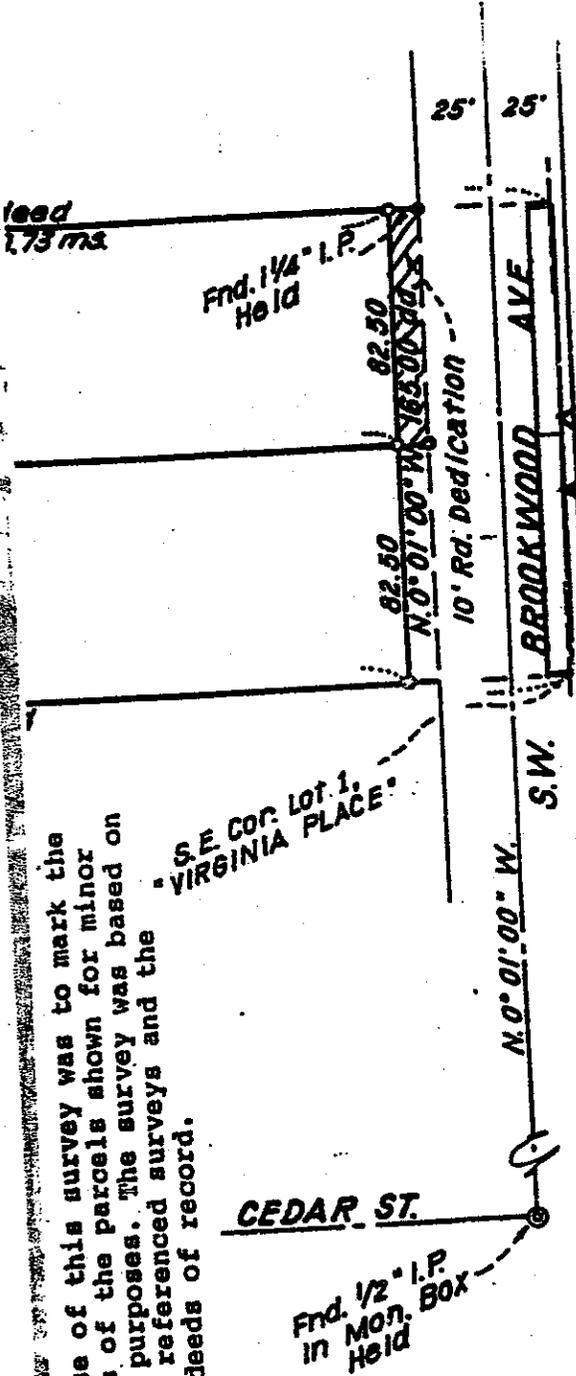
Beginning at the intersection of the present west right-of-way
line of S.W. Brookwood Avenue (County Road 1643) with the south
boundary of a tract of land described in deed to Daniel E. Easter
and Glennis L. Easter, husband and wife, recorded as Document
85027826, Deed Records of Washington County;

thence westerly, along said south boundary, ten feet;

thence northerly, parallel with said west right-of-way line; 82.5
feet to the north boundary of said Easter tract;

thence easterly, along said north boundary, ten feet to said west
right-of-way line;

thence southerly, along said west right-of-way line, 82.5 feet to
the point of beginning.



Dedicated parcels per first paragraph of descriptions

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Donald W. Mason

OREGON
OCT. 22, 1956
DONALD W. MASON
333

checked by D.E.M.
drawn by D.E.M. 12486
account no. 5129

SURVEY FOR MINOR PARTITION
TAX LOTS 2200 & 2201
SITUATED IN THE N.E. 1/4 SEC. 4, T.1S., R.2W., W.M.
Wash., Co., Oregon

MARX
ASSESSMENTS
Suite 703D • 1217 E. Burnside • P.O. Box 565 • Gresham, Oregon 97030 • (503) 667-5550

STATE OF OREGON
County of Washington

38

I, Donald W. Mason, Director of Assessment and Taxation and Ex-Officio Recorder of Conveyances for said county, do hereby certify that the within instrument of writing was received and recorded in book of records of said county.

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

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1986 JUN 19 AM 11:42

EXHIBIT B

FINDINGS IN SUPPORT BERNHARDT ANNEXATION FILE NO. AN 3-04

I. BACKGROUND INFORMATION AND SITE DESCRIPTION

Two petitioners representing one property requested City Council approval for annexation of approximately 0.35 acres into the City Limits of Hillsboro.

The property under consideration is located generally east of SW Brookwood Avenue, north of SE Libby Court and south of West Baseline Road. The property can be specifically identified as Tax Lot 502 on Washington County Tax Assessor's Map 1S2-4AA. The total assessed value of the property is \$70,370.

The property is relatively flat with mature trees on the southwestern portion of the property. Tax Lot 502 is vacant due to recent demolition of a single family house, which was addressed at 240 SW Brookwood 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 March 16, 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 property is RM – Medium Density Residential, which is consistent with the regional urban growth goals and objectives. The property will be rezoned to A-1 Duplex Residential pursuant to Section 97 of Hillsboro Zoning Ordinance No. 1945.

- 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 ten-inch City line located in the SW Brookwood Avenue right-of-way. Sanitary sewer is available through a eight-inch City line located in the SW Brookwood Avenue right-of-way. Storm water disposal is available through a twelve-inch City line located in the intersection of SW Brookwood Avenue and SW Libby Court.

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 March 1, 2004