

Final Documents

For

Annexation to the  
**City of Hillsboro**

WA2202  
Ordinance #5120  
DOR 34-1553-2002  
Sec. State: AN-2002-0067

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

Signature:

\_\_\_\_\_

Date of

Mailing: 3/5/02

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

Signature:

\_\_\_\_\_

Date of

Mailing: 4/4/02

WA2202

Sent

Received

DOR:

3/5/02

4/3/02

Sec. State:

4/4/02

4/29/02

Assessor:

4/4/02

Elections:

4/4/02

Mapped:

Yes

Posted to Web:

5/8/02

Addresses:

1N236A001200

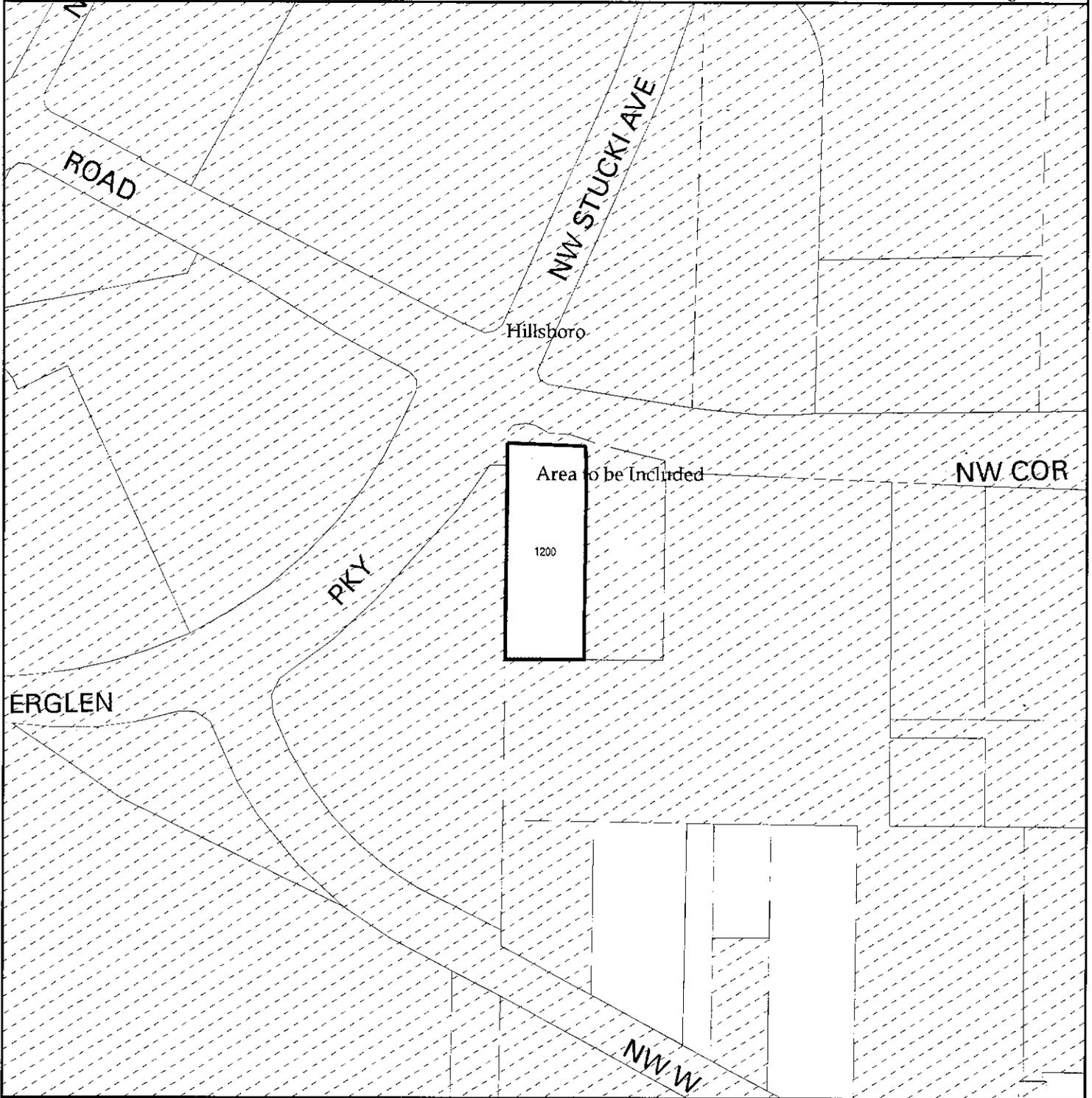
19470 NW Cornell Road

# Proposal No. WA2202

1N2W36

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

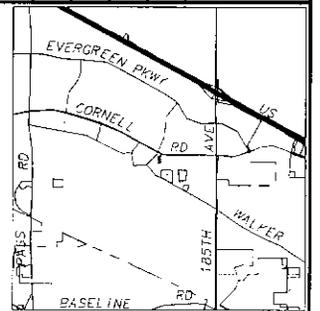
Annexation boundary

Urban Growth Boundary

Proposal No. WA2202  
CITY OF HILLSBORO  
Figure 1

Scale: 1" = 250'

0 200 400



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

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April 24, 2002

Metro  
600 NE Grand Ave  
Portland, OR 97232-2736

Dear Mr. Martin:

Please be advised that we have received and filed on April 9, 2002 the following Annexation(s).

Ordinance(s):	City of:	Our File Number(s):
1095-02	Tualatin	AN 2002-0062
5116	Hillsboro	AN 2002-0063
5117	Hillsboro	AN 2002-0064
5118	Hillsboro	AN 2002-0065
5119	Hillsboro	AN 2002-0066
5120	Hillsboro	AN 2002-0067

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,

Rita F. Mathews  
Official Public Documents

cc: Washington 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**  
**April 3, 2002**  
**As Per ORS 308.225**

Description     Map received from: METRO & CITY  
On: 3/29/02

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

**ANNEX TO THE CITY OF HILLSBORO & WITHDRAWAL FROM WASHINGTON  
COUNTY SERVICE DIST #1 FOR STREET LIGHTS**

ORD. #5120

has been:     Approved            4/3/02  
                   Disapproved

Notes:

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Department of Revenue File Number: 34-1553-2002

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. 5120  
AN 27-01: STEELE

AN ORDINANCE ANNEXING A TRACT OF LAND INTO THE CITY LIMITS OF HILLSBORO AND WITHDRAWING THE TRACT FROM WASHINGTON COUNTY SERVICE DISTRICT NO. 1 FOR STREET LIGHTS.

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 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 district: 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 5, 2002, and does hereby favor the annexation of the subject tracts of land and withdrawals from the districts based on the findings attached hereto as Exhibit B;

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

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

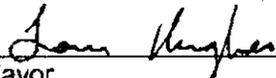
Section 1. The tract of land, described in Exhibit A, is declared to be annexed to the City of Hillsboro, Oregon.

Section 2. The tract of land annexed by this ordinance and described in Section 1 is withdrawn from the Washington County Service District #1 for Street Lights upon the effective date of the annexation:.

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, after the primary election on May 21, 2002, pursuant to ORS 222.040.

Passed by the Council this 5th day of March, 2002.

Approved by the Mayor this 5th day of March, 2002.

  
\_\_\_\_\_  
Mayor

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

City of Hillsboro  
Annex 27-01: Steele  
Proposed legal description  
MF, February 8, 2002

## Exhibit 'A'

A tract of land in Section 36, Township 1 North, Range 2 West, Willamette Meridian, Washington County, Oregon, more particularly described as follows:

Beginning at the north one-quarter corner of said Section 36;

thence South  $0^{\circ} 04'$  East, along the west boundary of that tract of land described in deed to Herbert M. Steele and Julie A. Steele, recorded March 26, 1977 in Book 1153, Page 760, in deed records of said county, a distance of 393.80 to the southwest corner thereof;

thence South  $89^{\circ} 46'$  East, along the south boundary of said tract, a distance of 138.8 feet to the southeast corner thereof;

thence North  $0^{\circ} 08'$  East, along the east boundary of said tract, a distance of 392.6 feet to the north boundary of said Section 36;

thence North  $89^{\circ} 16'$  West, along said north boundary, a distance of 140.1 feet to the place of beginning.

INSURANCE

Larry Knodel

hereinafter called grantor, convey(s) to

Herbert M. Steele and Julie A. Steele, husband and wife

all that real property situated in the County

of Washington State of Oregon, described as:

**BEGINNING** at a point in Cornell Road at the Northwest corner of the Northeast quarter of Section 36, Township 1 North, Range 2 West, Willamette Meridian, Washington County, Oregon, thence South 0° 04' East 30.0 feet to an iron pipe on the South line of said Cornell Road; thence continuing South 0° 04' East on the West line of said Northeast quarter 363.8 feet to an iron pipe; thence South 89° 46' East 138.8 feet to an iron pipe; thence North 0° 08' East 362.6 feet to an iron pipe on the South side of Cornell Road thence continuing North 0° 08' East 30.0 feet to the North line of said Section 36, Township 1 North, Range 2 West, Willamette Meridian, Washington County, Oregon; thence North 39° 16' West 140.1 feet to the place of beginning.

3-1098

\*ments, rights of way and easements of the Unified Sewerage Agency.

and covenants) that grantor is the owner of the above described property free of all encumbrances except rights of public to and in that portion of the above property lying within the limits of roads, streets, and highways; regulations, including levies, liens, assess- and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is \$ 7,000.00

Dated this 18th day of March, 19 77

Larry Knodel  
Larry Knodel

STATE OF OREGON, County of Washington ) ss.

March 18, 19 77 personally appeared the above named Larry Knodel and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

Jarvis A. Lane  
Notary Public for Oregon  
My commission expires: 12-31-80

The dollar amount should include cash plus all encumbrances existing against the property to which the property remains subject or which the purchaser agrees to pay or assume.

If consideration includes other property or value, add the following: "However, the actual consideration consists of or includes other property or value given or promised which is part of the/the whole consideration." (Indicate which)

**WARRANTY DEED (INDIVIDUAL)**

Knodel

TO

Steele

After Recording Return to:  
Herbert M. Steele  
977 NE Sturgess  
Hillsbord, Oregon 97123

STATE OF OREGON  
County of Washington ) ss. Lane

I certify that  
on the 18th  
at 12:50 o'clock  
on March day of 1977  
Witness my hand and seal affixed.

ROGER THOMSEN, Director of Records & Elections  
County

800-1150 FAX 760  
By \_\_\_\_\_

Mar 26 2 17 PM '77

5483

Form No. 9-76  
Revised Form No. TA 104

## EXHIBIT B

### FINDINGS IN SUPPORT CITY OF HILLSBORO ET AL ANNEXATION FILE NO. AN 27-01

#### I. BACKGROUND INFORMATION AND SITE DESCRIPTION

Two petitioners representing one property requested City Council approval for annexation of approximately 1.21 acres into the City Limits of Hillsboro.

The property under consideration is located generally east of NW Amberglen Parkway, west of NW 185<sup>th</sup> Avenue, north of NW Walker Road, and south of NW Cornell Road. The property can be specifically identified as Tax Lot 1200 on Washington County Tax Assessor's Map 1N2-36A. The total assessed value of the properties is \$154,270.

The property is relatively flat with a hedge on the western and eastern boundaries. On the southern portion of the site there are two structures being used for cabinetry construction, addressed at 19470 NW Cornell Road.

#### 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 5, 2002.

#### 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 MU – Mixed Use and RMR – Mid Rise Density Residential, which is consistent with the regional urban growth goals and objectives. The property will be rezoned to C-4 Neighborhood Commercial and A-3 Multi-Family Residential pursuant to Section 97 of Hillsboro Zoning Ordinance No. 1945, unless the property owner applies for a different commercial or 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 twenty-inch City line located in the NW Cornell Road right-of-way and a 12" located in NW Amberglen Parkway right-of-way. Sanitary sewer is available through an eight-inch City line located in NW Cornell Road. Storm water disposal is available in a thirty-inch line adjacent to NW Cornell Road and a fifteen-inch line adjacent to NW Amberglen Parkway.

Fire and police protection would be provided by the City of Hillsboro and the property would be withdrawn from the Washington County Service District #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 City of Hillsboro has determined that withdrawal of the property from Washington County Service District #1 for Street Lights is in the best interest of the City.

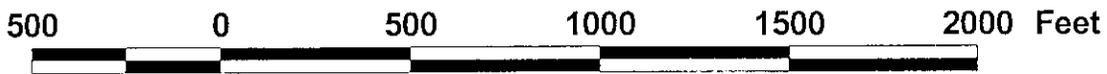
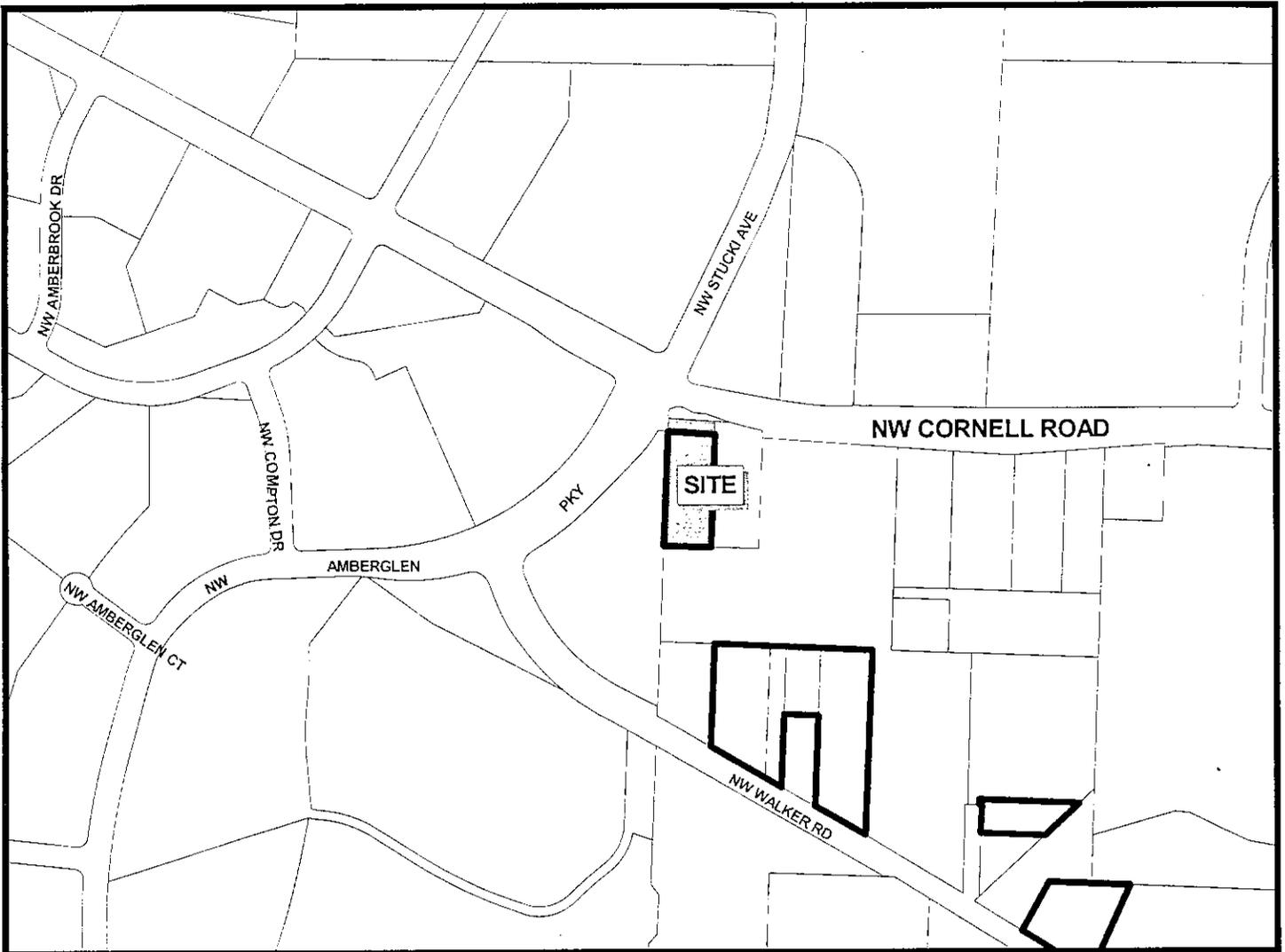
#### **IV. TESTIMONY FROM NECESSARY PARTIES**

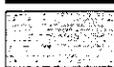
No written testimony was received prior to or at the public hearing from a necessary party as defined in Metro Code Chapter 3.09.020(j), nor was oral testimony received by the City Council from a necessary party at the public hearing.

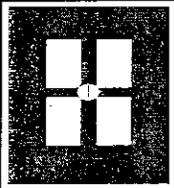
#### **V. ADDITIONAL MATERIALS CITED BY REFERENCE AND INCLUDED IN FINDINGS**

- Staff Report dated February 19, 2002

# AN 27-01 STEELE



-  Hillsboro City Limits
-  Site



**CITY OF  
HILLSBORO**  
PLANNING DEPARTMENT (503) 681-6153

