

Final Documents

For

Annexation to the  
**City of Hillsboro**

WA2501  
DOR 34-1504-2001  
Ordinance #5030  
Sec. State: AN-2001-2501

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

Signature:

 \_\_\_\_\_

Date of  
Mailing: 6/26/01

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

Signature:

 \_\_\_\_\_

Date of  
Mailing: 7/12/01

WA2501

Sent

Received

DOR: 6/26/01 7/9/01

Sec. State: 7/12/01 8/7/01

Assessor: 7/12/01

Elections: 7/12/01

Mapped: Yes

Posted to Web: 8/14/01

Addresses: 1N325DB04500 No site address

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

---

July 31, 2001

Metro  
Ken Martin  
600 NE Grand Ave  
Portland, OR 97232-2736

Dear Mr. Martin:

Please be advised that we have received and filed on July 17, 2001 the following Annexation(s).

Ordinance(s):	City of:	Our File Number(s):
2001-1109	Sherwood	AN 2001-0134
2001-1110	Sherwood	AN 2001-0135
5030	Hillsboro	AN 2001-0136

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

**Description and Map Approved**  
**July 3, 2001**  
**As Per ORS 308.225**

Description     Map received from: METRO  
On: 6/29/01

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

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

ORD. #5030

has been:     Approved        7/3/01  
                   Disapproved

Notes:

Department of Revenue File Number: 34-1504-2001

Prepared by: Jennifer Dudley, 503-945-8666

Boundary:     Change     Proposed Change  
The change is for:

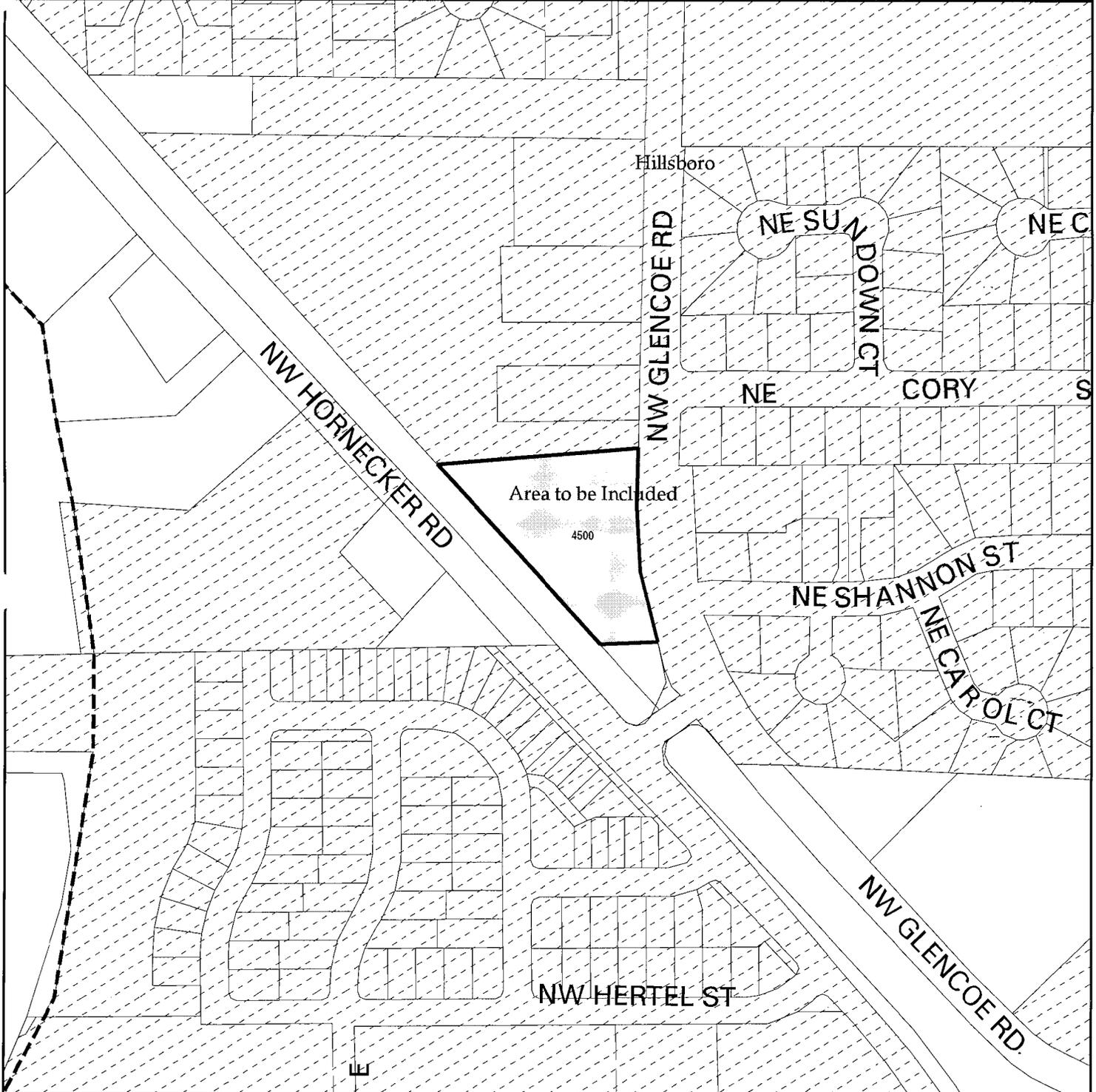
- Formation of a new district
- Annexation of a territory to a district
- Withdrawal of a territory from a district
- Dissolution of a district
- Transfer
- Merge

# Proposal No. WA2501

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

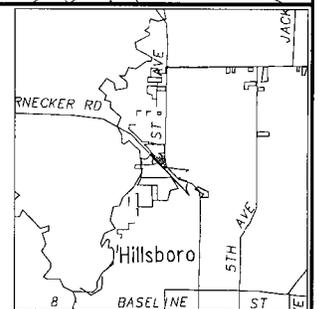
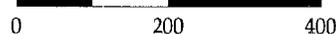
**METRO**

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. WA2501  
CITY OF HILLSBORO  
Figure 1

Scale: 1" = 250'



*Amber Denny*  
City of Hillsboro

ORDINANCE NO. 5030  
AN 3-01: PROSTEEL SOUTH

AN ORDINANCE ANNEXING CERTAIN TRACTS OF LAND INTO THE CITY LIMITS OF HILLSBORO, WITHDRAWING THE TRACTS 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 their 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 tracts of land lie within the following districts: Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; Washington County Service District for Urban Road Maintenance; and Washington County Service District #1 for Street Lights;

WHEREAS, delay in the effective date of the annexation could cause inconvenience and additional financial cost to the property owners and unnecessary delay in the provision of City services;

WHEREAS, notice of the proposed annexation and withdrawals has been published, mailed and posted in the manner provided by law;

WHEREAS, the City Council conducted a public hearing on this matter on June 5, 2001, 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 annexations and withdrawals are not contested by any necessary party;

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

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

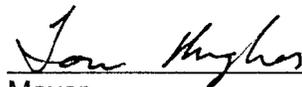
Section 2. The tract of land annexed by this ordinance and described in Section 1 is withdrawn from the following districts upon the effective date of the annexation: Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; Washington County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

Section 3. The findings attached as Exhibit B are adopted. The City Recorder shall immediately file a certified copy of this Ordinance with Metro and other agencies required by Metro Code Chapter 3.09.050(f) and ORS 222.005. The annexation and withdrawals shall become effective upon filing of the annexation records with the Secretary of State as provided by ORS 222.180.

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

Passed by the Council this 5th day of June, 2001.

Approved by the Mayor this 5th day of June, 2001.

  
\_\_\_\_\_  
Mayor

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

City of Hillsboro  
Annex 01-03: ProSteel Builders L.L.C.  
Proposed Legal Description  
MF, April 12, 2001

EXHIBIT "A"

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

Commencing at the northeast corner of the Ralph Wilcox Donation Land Claim #69;

thence West a distance of 537.68 feet;

thence North a distance of 248.88 feet to a point on the northeast right-of-way line of the Southern Pacific Railroad and the southwest corner of that tract of land described in deed to ProSteel Builders Inc., recorded May 3, 1974, in Book 973, Page 581, in deed records of said county said point also being the TRUE POINT OF BEGINNING;

thence North  $89^{\circ} 24'$  East, along the south boundary of said tract, a distance of 31.98 feet to the west right-of-way line of NW Glencoe Road;

thence North  $1^{\circ} 11'$  East, along said right-of-way line, a distance of 346.50 feet to the northeast corner of said Stone tract;

thence West, along the north boundary of said tract, a distance of 346.50 feet to the west corner of said tract and a point on the northeast right-of-way line the Southern Pacific Railroad;

thence South  $42^{\circ} 39'$  East, along said right-of-way line, a distance of 453.33 feet to the TRUE POINT OF BEGINNING.

6027

TRANSAMERICA TITLE  
INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS, That **BARRY HOAGLIN, Trustee for BARRY HOAGLIN, D.M.D., P.C. Employees Trust**, hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by **ALAN G. STONE and WILMA E. STONE** (son and mother)

hereinafter called grantees, hereby grants, bargains, sells and conveys unto the said grantees, not as tenants in common but with the right of survivorship, their assigns and the heirs of the survivor of said grantees, all of the following described real property with the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, situated in the County of **Washington**, State of Oregon, to-wit:

A tract of land in the Southeast quarter of Section 25, Township 1 North, Range 3 West of the Willamette Meridian, Washington County, Oregon, described as follows:

From a 3/4 inch iron pipe on the Easterly boundary of Southern Pacific Railroad right-of-way and 3.30 feet East on Northeast corner of Original Tax Lot 5, in Section 25, Township 1 North, Range 3 West, Willamette Meridian, Washington County, Oregon, said point of beginning being 537.68 feet West and 248.88 feet North of the Northeast corner of Ralph Wilcox Donation Land Claim 69; thence South 89°24' East 31.98 feet to a 3/8 inch iron pipe on the West boundary of N.W. Glenco County Road; thence North 1° 11' East 346.50 feet along the West boundary of said road to a 3/4 inch iron pipe; thence South 87°54' West, 346.50 feet to a 3/4 inch iron pipe on the Easterly boundary of the Southern Pacific Railroad right-of-way; thence South 42°39' , 453.33 feet along Easterly boundary of said Railroad right-of-way to the point of beginning.

47-13118

6027

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

TO HAVE AND TO HOLD the above described and granted premises unto the said grantees, their assigns and the heirs of such survivor, forever; provided that the grantees herein do not take the title in common but with the right of survivorship, that is, that the fee shall vest absolutely in the survivor of the grantees.

And the grantor above named hereby covenants to and with the above named grantees, their heirs and assigns, that grantor is lawfully seized in fee simple of the above granted premises, that the said premises are free from all encumbrances EXCEPT:

1. Regulations of Unified Sewerage Agency
  2. Rights of the public within the limits of NW Glencoe Road.
  3. Regulations of Tualatin Valley Irrigation District.
- and that grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 6000.00

~~The true and actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which)~~

In construing this deed and where the context so requires, the singular includes the plural, the masculine includes the feminine and the neuter and, generally, all grammatical changes shall be made, assumed and implied to make the provisions hereof apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument on the 24<sup>th</sup> day of April, 1974; if the grantor is a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its officers duly authorized thereunto by order of its board of directors.

*Barry Hoaglin, Trustee*  
Barry Hoaglin, Trustee

(If executed by a corporation, affix corporate seal)

STATE OF OREGON,  
County of Washington }  
April 24, 1974  
Personally appeared the above named  
Barry Hoaglin

and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:  
*Frank Weston*  
Notary Public for Oregon  
My commission expires: 12-27-76

(OFFICIAL SEAL)

STATE OF OREGON, County of \_\_\_\_\_ ) ss.  
\_\_\_\_\_, 19\_\_\_\_.

Personally appeared \_\_\_\_\_ and \_\_\_\_\_ who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of \_\_\_\_\_

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:  
Notary Public for Oregon  
My commission expires:

(OFFICIAL SEAL)

NOTE—The symbols between the symbols ( ), if not applicable, should be defined, see Chapter 402, Oregon Laws 1967, as amended by the 1967 Special Session.

690  
113 25 33  
300  
27A

WARRANTY DEED  
(SURVIVORSHIP)

TO  
Name & Address of Taxpayer

Alan G. Stone  
2270 NW Glencoe Road.  
Hillsboro, Or. 97123

BOOK 973 PAGE 582

INDEXED

(DON'T USE THIS SPACE, RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.)

STATE OF OREGON }  
County of Washington

I, Roger Thomsson, Director of Records and Elections and Ex-Office Recorder of Conveyances for said county, do hereby certify that the within instrument of writing was received and recorded in book of records No. \_\_\_\_\_ of said County

Witness my hand and seal affixed,  
ROGER THOMSSON, Director of Records & Elections  
*R. Thomsson*  
Deputy

Mar 3 3 03 PM '74

## EXHIBIT B

### FINDINGS IN SUPPORT PROSTEEL SOUTH ANNEXATION FILE NO. AN 3-01

#### I. BACKGROUND INFORMATION AND SITE DESCRIPTION

One petitioner representing one property requested City Council approval for annexation of approximately 1.51 acres into the City Limits of Hillsboro.

The property under consideration is located generally east and north of NW Hornecker Road, west of NW Glencoe Road, and south of NW Merle Drive. The property can be specifically identified as Tax Lot 4500 on Washington County Tax Assessor's Map 1N3-25DB. The assessed value of the property is \$197,330.

The property is relatively flat with trees scattered throughout the site. The site is vacant.

#### II. PROCEDURAL REQUIREMENTS

In accordance with ORS 222.125 the petition for annexation from the property owners constituted 100 percent of the property owners and at least 50 percent of the registered voters residing on the property. Notice of the proposed annexation was given as specified by Metro Code Chapter 3.09.030 and ORS 222.120. A staff report was prepared and available 15 days prior to the hearing as stipulated by Metro Code Chapter 3.09.050. A public hearing on the matter was conducted by the City Council on December 19, 2000.

#### 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 these properties would be consistent with the UPAA, and allow the petitioners the ability to further develop their 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 Policy (III)(F) In the Area of Interest, the City will continue its current annexation policy, under which property owners interested in annexation are welcome to contact the City for whatever information and assistance they need to initiate and complete the annexation process.

Section 2. Urbanization Policy (III)(H) The City will negotiate with the service districts currently providing urban services to properties in the Area of Interest, and will address service provision issues on an individual basis upon receipt of petitions for annexation. The City will work toward formal long-term service agreements with each affected service district, and shall consider the Area of Interest in all public facility plans.

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 Policy (III)(F), assisting property owners with the annexation process; 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 RL – Low Density Residential which is consistent with the regional urban growth goals and objectives. The property will be rezoned to R-7 Single Family Residential pursuant to Section 97 of Hillsboro Zoning Ordinance No. 1945, unless the property owner requests a different 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 properties from a 12-inch City line currently located in the NW Glencoe Road right-of-way. Sanitary sewer is available through an eight-inch City line also located in the NW Glencoe Road right-of-way. Storm water disposal is available via existing ditches adjacent to NW Glencoe Road and a 12-inch line located in the Glencoe Road right-of-way.

Fire and police protection would be provided by the City of Hillsboro and the property would be withdrawn from the following districts as of the effective date of the annexation:

Washington County Rural Fire Protection District No. 2  
Washington County Service District for Enhanced Law Enforcement  
Washington County Service District for Urban Road Maintenance  
Washington County Service District #1 for Street Lights

Annexation of the subject property would not interfere with the provisions of public facilities and services.

- 6) *Consistency with other applicable criteria for the boundary change in question under state and local law.*

**FINDING:** Pursuant to ORS 222.524 has determined that withdrawal of the properties from the following districts is in the best interest of the City:

Washington County Rural Fire Protection District No. 2  
Washington County Service District for Enhanced Law Enforcement  
Washington County Service District for Urban Road Maintenance  
Washington County Service District #1 for Street Lights

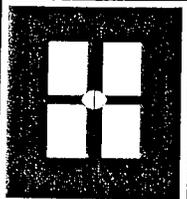
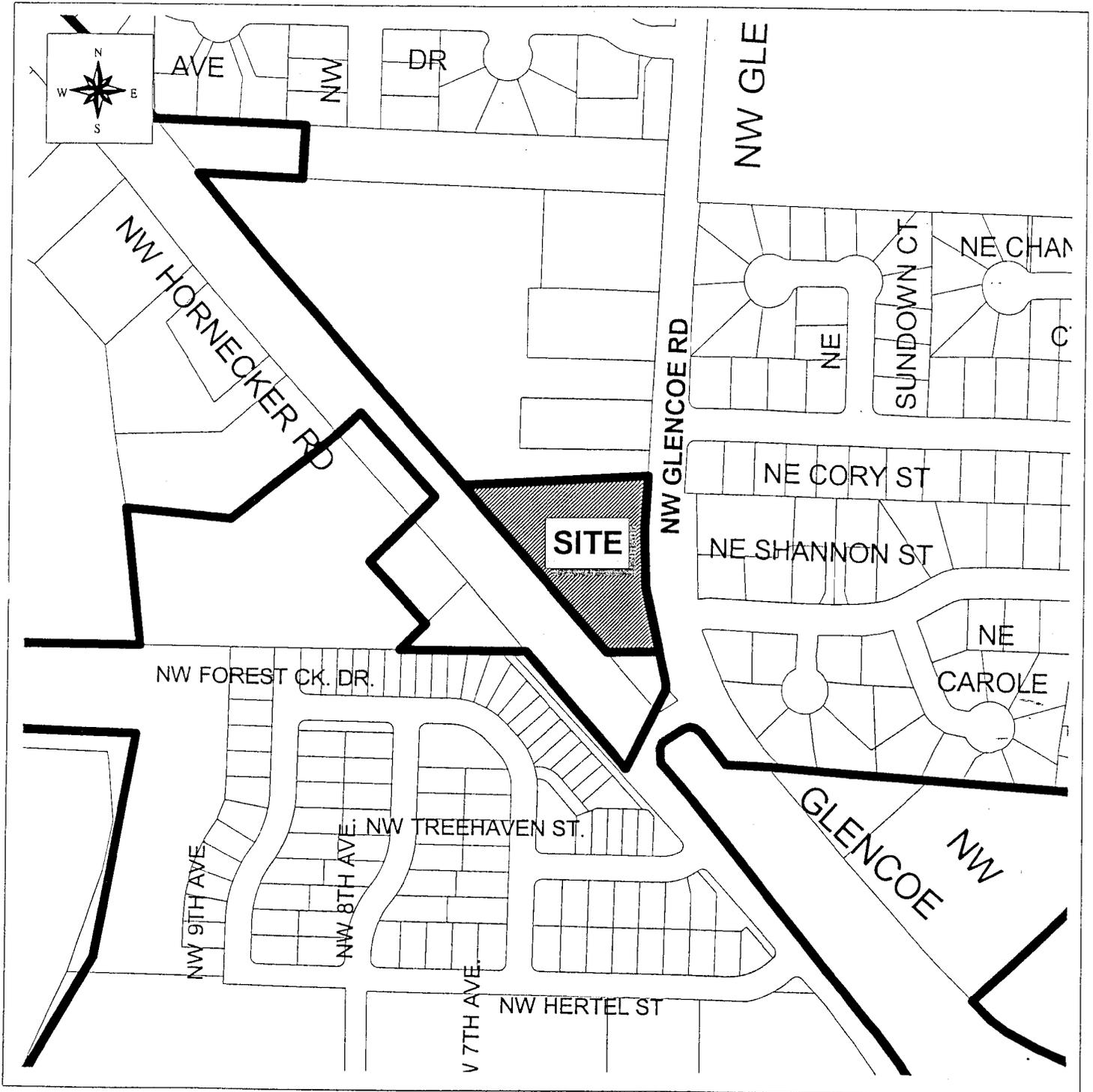
#### **IV. TESTIMONY FROM NECESSARY PARTIES**

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

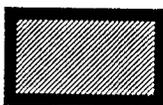
#### **V. ADDITIONAL MATERIALS CITED BY REFERENCE AND INCLUDED IN FINDINGS**

- Staff Report dated May 21, 2001

# AN 3-01: PROSTEEL SOUTH



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



**Proposed Annexation**



**City Limits**