

Final Documents

For

Annexation to the
City of Hillsboro

WA3003
Ordinance #5270
DOR 34-1618-2003

Final to DOR:

Signature:

Date of

Mailing: 6/11/03

Final to Secretary of State

Signature:

Date of

Mailing: 7/1/03

WA3003

Sent

Received

DOR:

6/11/03

6/19/03

Sec. State:

7/1/03

Assessor:

7/1/03

Elections:

7/1/03

Mapped:

Yes

Addresses:

1N235DA00200

21075 NW QUATAMA RD

Proposal No. WA3003

1N2W35

Annexation to the City of Hillsboro

Washington Co.

Hillsboro

Area to be Included

200

NW QUATAMA ST

209TH AVE

8TH AVE

07TH AVE

NW PAINTED MOUNTAIN DR

NW LONGBOW LN

W SEDCO

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

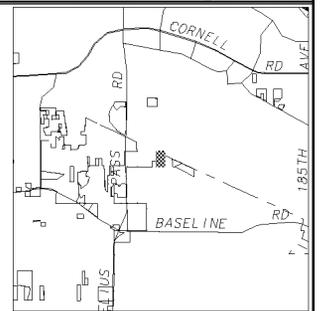
Annexation boundary

Urban Growth Boundary

Proposal No. WA3003
CITY OF HILLSBORO
Figure 1

Scale: 1" = 250'

0 200 400



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
June 19, 2003
As Per ORS 308.225

Description Map received from: METRO
On: 6/16/2003

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

ORD. #5270

has been: Approved 6/19/2003
 Disapproved

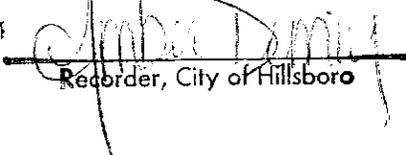
Notes:

Department of Revenue File Number: 34-1618-2003

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


Recorder, City of Hillsboro

ORDINANCE NO. 5270
AN 7-03: MOMENI

AN ORDINANCE ANNEXING A CERTAIN TRACT OF LAND INTO THE CITY LIMITS OF HILLSBORO AND WITHDRAWING THE TRACT FROM THE TERRITORIES OF TUALATIN HILLS PARKS AND RECREATION DISTRICT, 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 B 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 property owners in Urban Planning Area B interested in annexation are welcome to contact the City for whatever information and assistance they need to initiate and complete the annexation process;

WHEREAS, the tract of land lies within the following districts: Tualatin Valley Parks and Recreation District; 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 3, 2003, 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;

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: Tualatin Valley Parks and Recreation District; 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 3rd day of June, 2003.

Approved by the Mayor this 3rd day of June, 2003.

Mayor

ATTEST:

City Recorder

City of Hillsboro
Annex 7-03: Momeni
Proposed legal description
NS, May 27, 2003; Revised June 9, 2003

Exhibit 'A'

A tract of land in Section 35, Township 1 North, Range 2 West, Willamette Meridian, Washington County, Oregon, more particularly described as follows:

Commencing at the southeast corner of the Isaac Butler D.L.C. No. 48;

thence west along the south line of said D.L.C. a distance of 1038.88 feet;

thence north 20.0 feet to the southeast corner of that tract of land described in deed to Moji Momeni by deed recorded April 30, 1996 as Document No. 96038571 in Deed Records of said county;

thence North 29°16'01" West a distance of 688.97 feet to the northwest corner of said tract and the TRUE POINT OF BEGINNING;

thence South 65°33' East, along the north boundary of said tract, a distance of 367.5 feet to the northeast corner thereof;

thence South 0°19' East, along the east boundary of said tract and the southerly extension thereof, a distance of 502.13 feet to a point on the south right-of-way line of NW Quatama Road;

thence West, along said south right-of-way line, a distance of 333.5 feet to the intersection of the southerly extension of the west boundary of said Momeni Tract and the south right-of-way line of NW Quatama Road;

thence North 0°19' West, along said southerly extension and west boundary of said Momeni Tract, a distance of 656.03 feet to the TRUE POINT OF BEGINNING.

Recorded By TICOR TITLE
568629

001784

APR 30 1996

WARRANTY DEED

GRANTOR: GILBERT V. BIRKEL
GRANTEE: MOJI MOMENI

Until a change is requested, all tax statements shall be sent to the following address:
MOJI MOMENI
9275 SW PARKVIEW LOOP
BEAVERTON, OR 97008
Escrow No. W639995SMS Title No. W639995-RB
After recording return to:
MOJI MOMENI
9275 SW PARKVIEW LOOP
BEAVERTON, OR 97008

This STATE OF OREGON } SS
County of Washington }

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

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

Doc : 96038571
Rect : 163481 523.00
04/30/1996 04:12:11PM

STATUTORY WARRANTY DEED

GILBERT V. BIRKEL AND KATHY A. BIRKEL, AS TENANTS BY THE ENTIRETY Grantor, conveys and warrants to MOJI MOMENI, AN UNMARRIED MAN Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in WASHINGTON County, Oregon, to wit:

SEE 'LEGAL DESCRIPTION' ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.

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 30.0930. The said property is free from encumbrances except: COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS AND SET BACK LINES, POWERS OF SPECIAL DISTRICTS AND EASEMENTS OF RECORD, IF ANY.

The true consideration for this conveyance is \$485,000.00 **(Here comply with the requirements of ORS 93.030)

Dated this 29 day of April 19 96

**AS PAID BY AN ACCOMODATOR
PURSUANT TO AN IRC 1031 EXCHANGE

Gilbert V. Birkel
GILBERT V. BIRKEL
Kathy A. Birkel
KATHY A. BIRKEL

State of Oregon, County of Washington
The foregoing instrument was acknowledged before me this 29 day of April 19 96 by
GILBERT V. BIRKEL
KATHY A. BIRKEL

Carla S. Cimpr
Notary Public for Oregon
My commission expires:

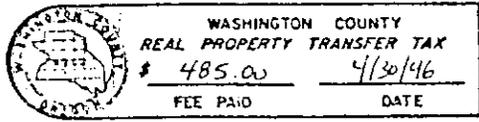
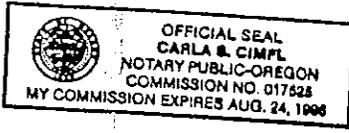


EXHIBIT 'A'

LEGAL DESCRIPTION

The following described property situated in the County of Washington and State of Oregon, to-wit:

A part of Section 35, Township 1 North, Range 2 West of the Willamette Meridian, more particularly described as beginning 1038.88 feet West of the Southeast corner of the Isaac Butler D.L.C. No. 48, and North 20 feet from the South line of said claim; thence West 333.5 feet to an iron bar; thence North 0° 19' West 601.03 feet to an intersection with a line 50 feet Southerly from and at right angles to the centerline of the Oregon Electric Railroad tract; thence South 65° 33' East parallel with the centerline of said tract and 50 feet distance therefrom measured at right angles thereto 367.5 feet to an intersection with a line 333.5 feet Easterly from and parallel with the West boundary of the tract herein described; thence South 0° 19' East 447.13 feet to the point of beginning.

APR 30 1996

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

Doc : 98142764
Rect: 222481 46.00
12/17/1998 10:34:05am

Assessor's Account Nos.
R2004693, R727459, R727529,
R2009124 and R727468

DEED

For purposes of conversion of Brolin Co., an Oregon general partnership, into Brolin Co., LLC, an Oregon limited liability company, BROLIN CO., an Oregon general partnership, Grantor, hereby conveys and warrants to BROLIN CO., LLC, Grantee, the parcels of real property situated in Washington County, Oregon and more particularly described on Exhibit A attached hereto and by reference incorporated herein, together with all improvements and other property in and upon the property described on Exhibit A owned by Grantor.

Subject to trust deeds and mortgages executed by Grantor and now appearing of record.

The entire consideration for this conveyance consists of other property or other value given or promised.

Until further notice forward real property tax statements to: P. O. Box 2688, Eugene, Oregon 97402.

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.

Lynne A. Detrick, a general partner in Grantor, has executed this document as the authorized representative of Grantor.

Dated: Oct. 23, 1998, but effective as of July 1, 1998.

BROLIN CO., an Oregon general Partnership

By Lynne A. Detrick
Lynne A. Detrick
A general partner

After recording return to Vernon D. Gleaves,
P. O. Box 1147, Eugene, Oregon 97440

1-4

DEC 17 1998

20 6 20

WASH TITLE INS CO. 980219761W

001973

DEC 17 1998

STATE OF OREGON)
)ss
County of *Clackamas*)

On this 23 day of October, 1998, personally appeared before me Lynne A. Detrick, a general partner in the partnership Brolin Co., an Oregon general partnership, and acknowledged the foregoing instrument to be her voluntary act and deed.



Notary Public for Oregon

OFFICIAL SEAL
JORDAN TAINER
NOTARY PUBLIC-OREGON
COMMISSION NO. 316652
MY COMMISSION EXPIRES OCT. 4, 2002

STATUTORY WARRANTY DEED
(CONTINUED)

LEGAL DESCRIPTION (Continued)

Order No.: 112594w

PARCEL I:

A tract of land in Section 35, Township 1 North, Range 2 West and in Section 2, Township 1 South, Range 2 West, of the Willamette Meridian, in the County of Washington and State of Oregon, described as follows:

Beginning at the point which bears North 89° 52' West 2257.86 feet and South 01° 48' East 433.00 feet from the Northeast corner of the Wm. H. Bennett Donation Land Claim No. 47, which point is also the Northeast corner of that parcel conveyed to Robert E. Stockwell, et ux, by Deed recorded February 27, 1981, Fee No. 81008878; thence South, following the East line of said Stockwell Tract, 155.165 feet to the Southeast corner of said tract which point is also on the East line of that parcel conveyed to John Hoekstra, et ux, by Deed recorded May 3, 1979, Fee No. 79017136; thence, along the East line of said Hoekstra Tract, South 1° 48' East 698 feet, more or less, to the center of a creek; thence down the same with the meanderings thereof to the West boundary of the land formerly owned by R.K. Simpson; thence North 1° 48' West 189.085 feet, more or less, to the Southwest corner of the Stockwell Tract; thence South 89° 52' East 258.275 feet to the Southwest corner of that tract conveyed to John Hoekstra, et ux, by Deed recorded January 4, 1982, Fee No. 82000045 (hereinafter Hoekstra II); thence North, along the West line of said Hoekstra II Tract 155.165 feet to the Northwest corner thereof; thence South 89° 52' East, along the North line of said Hoekstra II Tract, 266.695 feet, more or less, to the point of beginning.

PARCEL II:

A tract of land in the Wm Bennett Donation Land Claim No. 47 and situated in the Southeast one-quarter of Section 35, Township 1 North, Range 2 West, of the Willamette Meridian, in the County of Washington and State of Oregon, and being more particularly described as follows:

Beginning at the Northwest corner of that center tract of land described in a contract of sale dated March 31, 1974 between Earl Lawrence Horning and George K. Krautsheld, et ux, and recorded in Book 969, Page 287, Deed Records of Washington County, which is located on the North line of the Wm. Bennett Donation Land Claim, South 89° 57' 40" West 941.16 feet from the Northeast corner thereof; thence South 1° 47' 47" East 20.01 feet to the South right of way line of NW Quatama Road, County Road No. 414; thence South 89° 57' 40" West along the South right of way line of County Road No. 414, 350 feet; and the true point of beginning; thence South 0° 02' 20" East 350 feet; thence South 89° 57' 40" West 25.00 feet; thence South 0° 02' 20" East 90.00 feet; thence South 33° 28' West 360.00 feet; thence South 56° 32' East 50.00 feet; thence South 33° 28' West 190.00 feet; thence South 0° 02' 20" East 27.24 feet; thence North 63° 31' West 280.72 feet; thence South 75° 52' West 321.70 feet; thence South 41° 52' West 125.81 feet to the West line of the tract of land described in a Bargain and Sale Deed and recorded as Fee No. 86-056917, December 5, 1986, Washington County Deed Records; thence North 1° 48' 41" West along the West line of said tract, 587.64 feet to an iron rod; thence South 89° 57' 40" West 25.00 feet; thence North 1° 48' 41" West 225.44 feet; thence North 89° 57' 40" East 25.00 feet; thence North 1° 48' 41" West 187.47 feet to the South right of way line of NW Quatama Road; thence North 89° 57' 40" East 965.07 feet to the true point of beginning.

EXCEPTING THEREFROM, the North 13.00 feet of the above described tract, which has been deeded to Washington County for road purposes.

PARCEL III:

A tract of land in the Wm. Bennett Donation Land Claim No. 47 and situated in the Southeast quarter of Section 35, Township 1 North, Range 2 West and the Northeast quarter of Section 2, Township 1 South, Range 2 West, of the Willamette Meridian, in the County of Washington and State of Oregon, described as follows:

Beginning at the Northwest corner of that certain tract of land described in a Contract of Sale dated March 31, 1974 between Earl Lawrence Horning and George J. Krautsheld, et ux, and recorded in Book 969, Page 287, Deed Records of Washington County, which is located on the North line of the Wm. Bennett Donation Land Claim, South 89° 57' 40" West 941.16 feet from the Northeast corner thereof; thence South 1° 47' 47" East 20.01 feet to the South right of way line of N.W. Quatama Road, County Road No. 414; thence South 89° 57' 40" West along the South right of way line of County Road No. 414, 350 feet; thence South 0° 02' 20" East 350.00 feet; thence South 89° 57' 40" West 25.00 feet; thence South 0° 02' 20" East 90.00 feet; thence South 33° 28' West 360.00 feet; thence South 56° 32' East 50.00 feet; thence South 33° 28' West 190.00 feet; thence South 0° 02' 20" East 27.24 feet to the true point of beginning; thence North 63° 31' West 280.72

(Continued)

X 3

001,974

DEC 17 1988

STATUTORY WARRANTY DEED
(CONTINUED)

LEGAL DESCRIPTION (Continued)

Order No.: 112594w

feet; thence South 75° 52' West 321.70 feet; thence South 41° 52' West 125.81 feet to a point on the West line of the tract of land to be described in a Bargain and Sale Deed and recorded as Pse No. 86-056917, December 5, 1986, Washington County Deed Records; thence South 1° 48' 41" East along the West line of said tract 250 feet, more or less, to the centerline of Hall Creek; thence upstream, in a Northerly and Easterly direction, along the centerline of Hall Creek to a point which is South 0° 02' 20" East from the true point of beginning of the above described tract; thence North 0° 02' 20" West 88 feet, more or less to the true point of beginning.

PARCEL IV:

A tract of land in the Wm. Bennett Donation Land Claim No. 47 and situated in the Southeast one-quarter of Section 35, Township 1 North, Range 2 West, and the Northwest one-quarter of Section 2, Township 1 South, Range 2 West, of the Willametta Meridian, in the County of Washington and State of Oregon, and being more particularly described as follows:

Beginning at the Northwest corner of that certain tract of land described in a Contract of Sale dated March 31, 1974 between Earl Lawrence Hornung and George J. Krautshaid, et ux, and recorded in Book 969, Page 287, Deed Records of Washington County, which is located on the North line of the Wm. Bennett Donation Land Claim, South 89° 57' 40" West 941.16 feet from the Northeast corner thereof; thence South 1° 47' 47" East 20.01 feet to the South right of way line of NW Quatana Road, County Road 414, and the true point of beginning; thence South 89° 57' 40" West along the South right of way line of County Road No. 414, 350.00 feet; thence South 0° 02' 20" East 350.00 feet; thence South 89° 57' 40" West 25.00 feet; thence South 0° 02' 20" East 90.00 feet; thence South 33° 28' West 360.00 feet; thence South 56° 32' East 50.00 feet; thence South 33° 28' West 190.00 feet; thence South 0° 02' 20" East 115 feet, more or less, to the centerline of Hall Creek; thence in a Southeasterly direction, along the center line of Hall Creek, to the South line of the William Bennett Donation Land Claim line; thence South 89° 38' 51" East along the said claim line to the West line of the aforementioned Krautshaid Tract; thence North 1° 47' 47" West along the West line of the Krautshaid Tract, 1638.52 feet, to the true point of beginning.

STATE OF OREGON }
County of Washington } SS

I, Jerry R. Hanson, Director of Assessment and Taxation and County Recorder of Conveyances for said county, do hereby certify that the within instrument being received and recorded in the records of said county.



Doc : 92058474
Rect: 83747
08/24/1992 10:50:59AM 53.00

4 5

001975
DEC 17 1992

EXHIBIT B

FINDINGS IN SUPPORT MOMENI ANNEXATION FILE NO. AN 7-03

I. BACKGROUND INFORMATION AND SITE DESCRIPTION

A petitioner representing one property requested City Council approval for annexation of approximately 4.01 acres into the City Limits of Hillsboro.

The property under consideration is located generally east of SW Cornelius Pass Road, west of NW 206th Avenue, north of NW Quatama Road, and south of the MAX Light Rail Line. The property can be specifically identified as Tax Lot 200 on Washington County Tax Assessor's Map 1N2-35DA. The total assessed value of the property is \$709,810.

The property slopes upward towards the east and has scattered vegetation and trees. The MAX Light Rail Line is adjacent to the northern property line. Tax Lot 200 has a single-family house with associated accessory buildings addressed at 21075 NW Quatama 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 June 3, 2003.

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.

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 Implementation Measure (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.

- 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 B of the Urban Planning Area Agreement (UPAA) between Washington County and the City of Hillsboro, adopted on December 15, 1998. The UPAA states:

- 1) The City has identified Area B as a potential area for annexation and the future provision of urban services by the City. Area B includes only those unincorporated properties within the Regional Urban Growth Boundary, and does not include any properties within other cities.
- 2) In Area B, 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.
- 3) Upon annexation within Area B, the City will initiate Comprehensive Plan Land Use and Transportation Map changes on recently annexed properties, to City land use designations and functional street classifications corresponding as closely as possible to those designations and classifications already adopted by Washington County for those properties
- 4) The City will negotiate with the service districts currently providing urban services to properties in Area B, 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 Area B in all facility plans.

Annexation of this property would be consistent with the UPAA, and allow the petitioner the ability to further develop his 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

- 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 SCPA – Station Community Planning Area, which is consistent with the regional urban growth goals and objectives. The property will be rezoned to SCR-HD Station Community Residential – High Density 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 eight-inch City line located in the NW Quatama Road right-of-way. Sanitary sewer is available through an eight-inch City line located in the NW Quatama Road right-of-way. Storm water disposal is available through County ditches adjacent to the NW Quatama Road right-of-way.

Fire and police protection would be provided by the City of Hillsboro and the property would be withdrawn from the Tualatin Valley Parks and Recreation District; 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 Tualatin Valley Parks and Recreation District; 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.

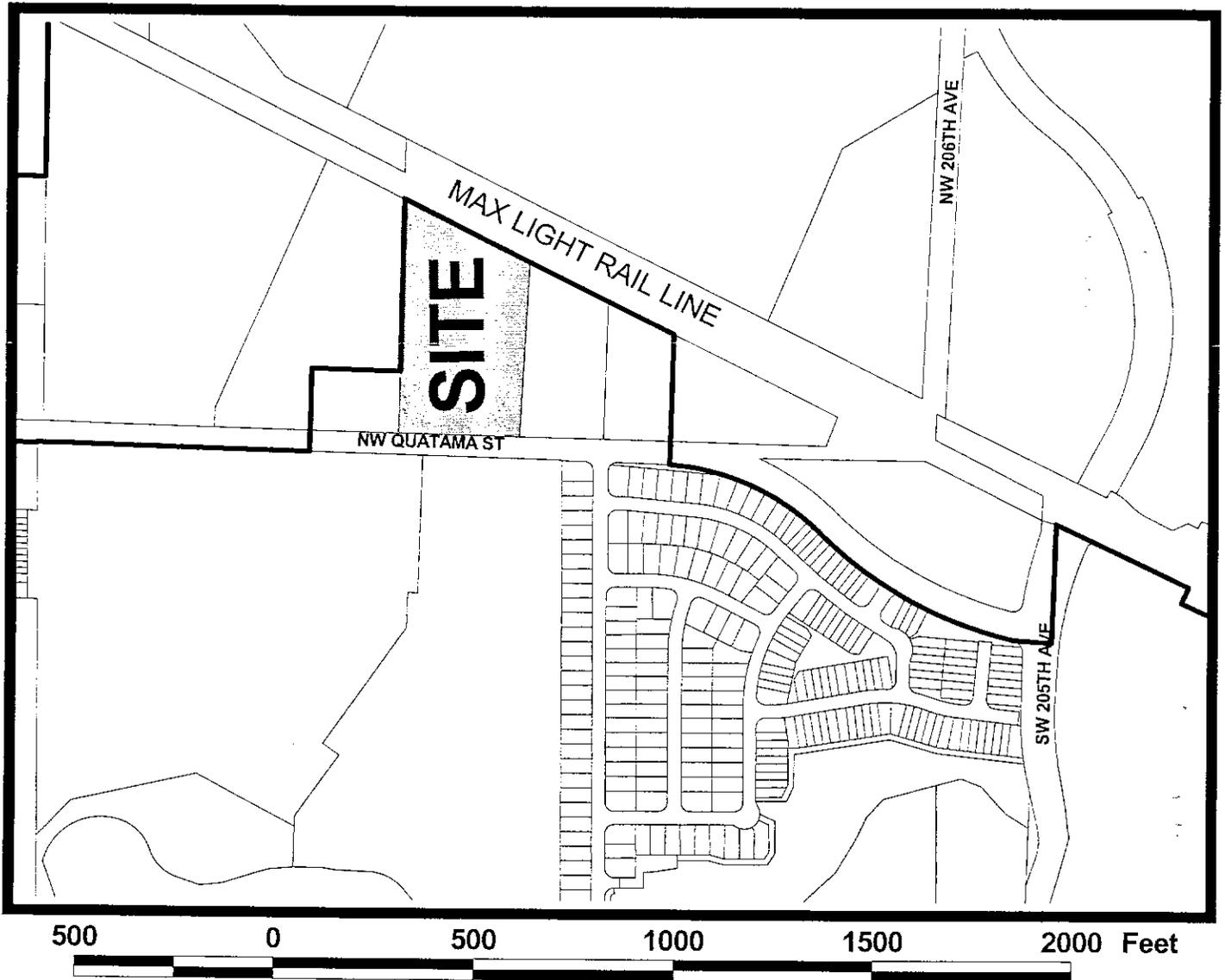
IV. TESTIMONY FROM NECESSARY PARTIES

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.

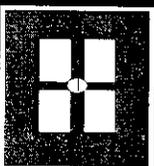
V. ADDITIONAL MATERIALS CITED BY REFERENCE AND INCLUDED IN FINDINGS

- Staff Report dated May 20, 2003

AN 7-03: MOMENI



-  Hillsboro City Limits
-  Site



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

