Final Documents

For

Annexation to the
City of Beaverton

WA3505
Ordinance 4357
DOR 34-1755-2005
Sec. State: AN-2005-0170

Final to DOR:

Signature:

Date of Mailing: 7/5/05

Final to Secretary of State:

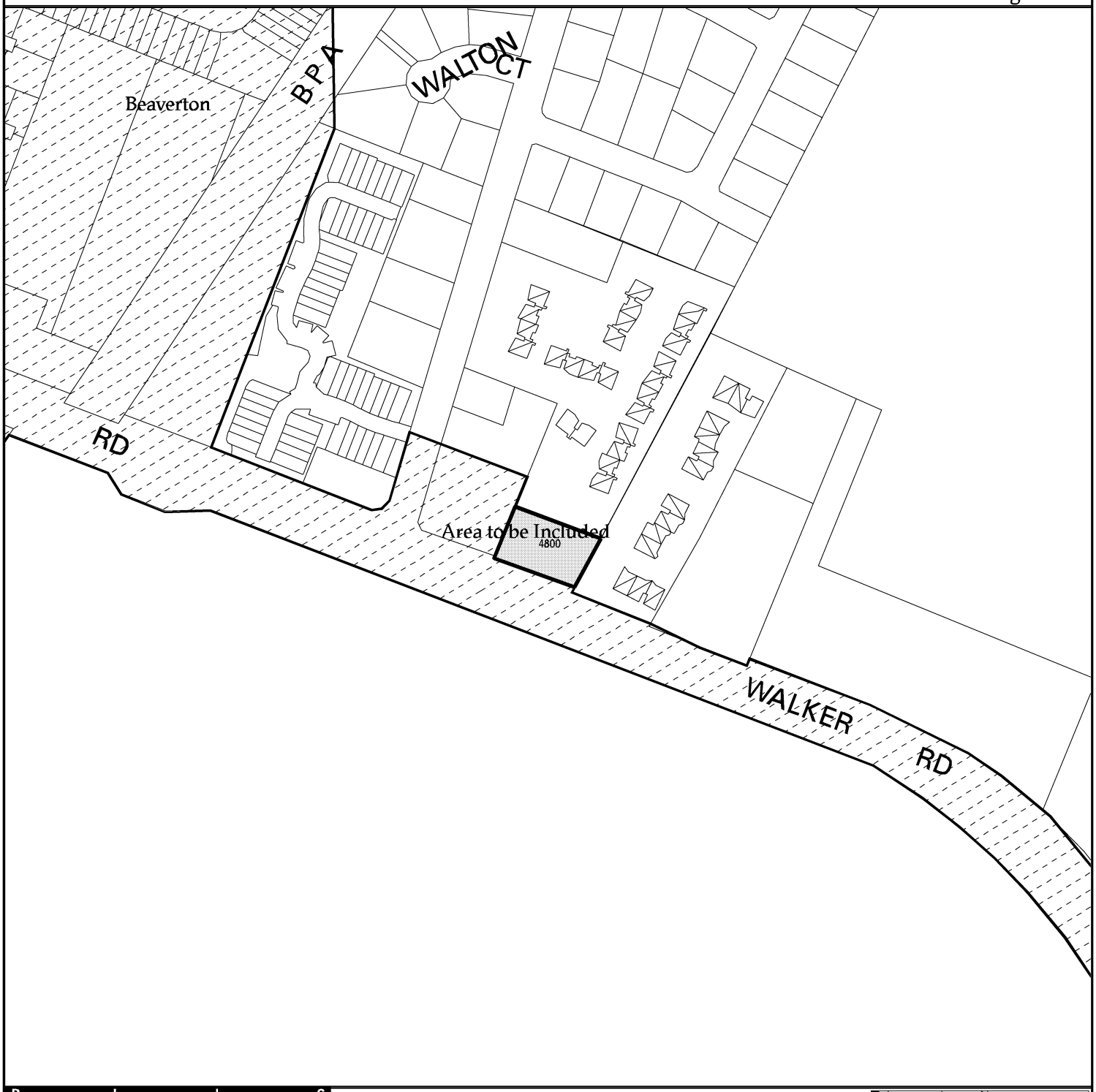
Signature:

Date of Mailing: 7/25/05

WA3505	Sent	Received
DOR:	7/5/05	7/20/05
Sec. State:	7/25/05	8/1/05
Assessor:	7/25/05	
Elections:	7/25/05	
Mapped:	Yes	
Address Information:		
	1S105AD04800	14615 SW Walker Road

Proposal No. WA3505

1S1W05 | Annexation to the Clean Water Services District | Washington Co.



R L I S
REGIONAL LAND INFORMATION SYSTEM

600 NE Grand Ave.
Portland, OR 97232-2736
Voice 503 797-1742
FAX 503 797-1909
Email drc@metro-region.org

METRO

The information on this map was derived from digital databases on Metro's GIS. Care was taken in the creation of this map. Metro cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, notification of any errors will be appreciated.

County lines

City

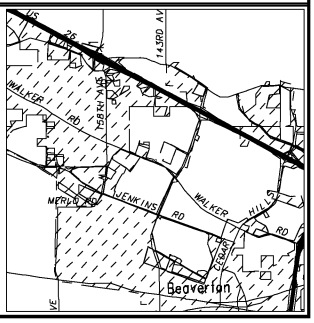
Annexation boundary

Urban Growth Boundary

Proposal No. WA3505
CLEAN WATER SERVICES DISTRICT
Figure 1

Scale: 1" = 250'

0 200 400



/bdyadmin/plots/plotjur/begin.aml, plot date: July 06, 2005

Please recycle with colored office grade paper

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 27, 2005

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

Dear Mr. Knight:

Please be advised that we have received and filed, as of July 27, 2005, the following records annexing territory to the following:

Ordinance/Resolution Number(s)	Our File Number
OR NO 4357 (City of Beaverton)	AN 2005-0170
OR NO 4358 (City of Beaverton)	AN 2005-0171
OR NO 05-109 (Clean Water Services District)	SD 2005-0095
OR NO 05-110 (Clean Water Services District)	SD 2005-0096

For your records please verify the effective date through the application of ORS 199.519.

Our assigned file number(s) are included in the above information.

Sincerely,

Linda Bjornstad
Official Public Documents

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

DOR 34-1755-2005

Notice to Taxing Districts

ORS 308.225

OREGON DEPARTMENT OF REVENUE
Cadastral Information Systems Unit
PO Box 14380
Salem, OR 97309-5075
(503) 945-8297, fax 945-8737

Description and Map Approved
July 20, 2005
As Per ORS 308.225

City of Beaverton
% Sue Ann Koniak
P.O. Box 4755
Beaverton, OR 97076

☒ Description ☒ Map received from: METRO
On: 7/8/2005

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

ANNEX TO CITY OF BEAVERTON AND WITHDRAW FROM SEVERAL DISTRICTS
WA3505

ORD.#4357 (ANN 2005-0005)

has been: ☒ Approved 7/20/2005
☐ Disapproved

Notes:

Department of Revenue File Number: 34-1755-2005

Prepared by: Carolyn Sunderman, 503-945-8882

Boundary: ☒ Change ☐ Proposed Change
The change is for:

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

EXHIBIT B

ANNEXATION

City of Beaverton

ANX 2005-0005

That tract of land situated in the southeast quarter of the northeast quarter of Section 5, Township 1 South, Range 1 West, Willamette Meridian, Washington County, Oregon. Said tract of land being more particularly described as follows:

COMMENCING at an iron pipe found at the southwest corner of Lot 62 of OLD MEADOW FARMS; THENCE, North 21°38′ East along the west line of said Lot 62 for a distance of fifteen (15′) feet to the existing right of way line of S.W. Walker Road (CR 215) and to the true POINT OF BEGINNING; THENCE, continuing North 21°38′ East along the west line of said Lot 62 for a distance of 100.01 feet to an iron rod; THENCE, South 69°15′ East for a distance of 158.73 feet to an iron rod on the east line of said Lot 62; THENCE, South 27°17′30″ West along the east line of said Lot 62 and the west line of Meadow Woods Condominiums for a distance of 100.72 feet to a point on the northerly right of way line of said S.W. Walker road; THENCE, North 69°15′ West along said right of way line for a distance of 148.8 feet, more or less, to the Point of Beginning.

ORDINANCE NO. 4357

AN ORDINANCE ANNEXING ONE PARCEL LOCATED AT 14615 SW WALKER ROAD TO THE CITY OF BEAVERTON: ANNEXATION 2005-0005

WHEREAS, This expedited annexation was initiated under authority of ORS 222.125, whereby the owner of the property, with no electors, has consented to annexation; and

WHEREAS, This property is in Beaverton's Assumed Urban Services Area and Policy 5.3.1.d of the City's acknowledged Comprehensive Plan states: "The City shall seek to eventually incorporate its entire Urban Services Area."; and

WHEREAS, This property is in area "A" as set forth in the "Beaverton-Washington County Intergovernmental Agreement Interim Urban Service Plan" and, as prescribed by the agreement, the Washington County Board of Commissioners has agreed not to oppose annexations in area "A"; and

WHEREAS, Council Resolution No. 3785 sets forth annexation policies for the City and this action implements those policies; now, therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

Section 1. The property shown on Exhibit A and more particularly described in Exhibit B is hereby annexed to the City of Beaverton, effective 30 days after Council approval and signature by the Mayor or the date the ordinance is filed with the Secretary of State as specified by ORS 222.180, which ever is later.

Section 2. The Council accepts the staff report attached hereto as Exhibit C, and finds that:

a. This annexation is consistent with provisions in the agreement between the City and the Tualatin Valley Water District adopted pursuant to ORS 195.065 that are directly applicable to this annexation; and
b. This annexation is consistent with the City-Agency agreement between the City and Clean Water Services.

Section 3. The Council finds this annexation will promote and not interfere with the timely, orderly, and economic provision of public facilities and services, in that:

a. The properties will be withdrawn from the Washington County Urban Road Maintenance District and the Washington County Enhanced Sheriff Patrol District ; and
b. The properties that lie within the Washington County Street Lighting District #1, if any, will be withdrawn from the district; and
c. The City having annexed into the Tualatin Valley Fire and Rescue District in 1995, the properties to be annexed by this Ordinance shall remain within that district; and
d. The territory will remain within the boundaries of the Tualatin Valley Water District.

Section 4. The Council finds that this annexation complies with all other applicable criteria set out in Metro Code Chapter 3.09 as demonstrated in the staff report attached as Exhibit C.

Section 5. The City Recorder shall place a certified copy of this Ordinance in the City's permanent records, and the Community Development Department shall forward a certified copy of this Ordinance to Metro and all necessary parties within five working days of adoption.

Section 6. The Community Development Department shall transmit copies of this Ordinance and all other required materials to all public utilities and telecommunications utilities affected by this Ordinance in accordance with ORS 222.005.

First Reading June 13, 2005
Date

Second Reading and Passed June 20, 2005
Date

Approved by the Mayor 6/21/05
Date

ATTEST:

Sue Nelson
SUE NELSON, City Recorder

APPROVED:

Rob Drake
ROB DRAKE, Mayor

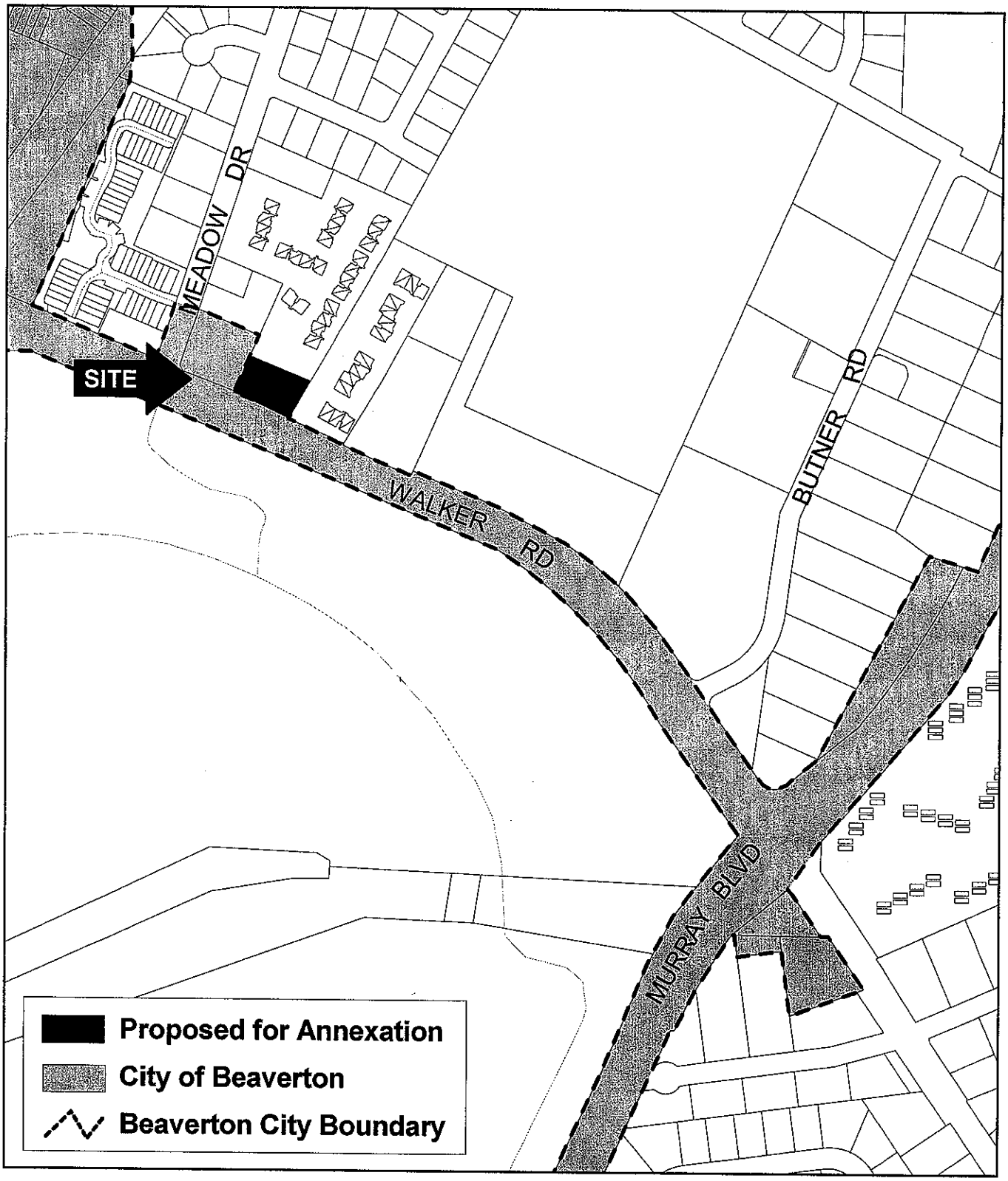
STATE OF OREGON,
COUNTY OF WASHINGTON, } ss CERTIFICATION
CITY OF BEAVERTON.

I, Susan A Nelson, Recorder for City of Beaverton, Washington County, Oregon, certify that this instrument is a true copy of the original which is part of the official records of the City of Beaverton, Oregon.

Dated this 22 day of June, 2005

Susan A Nelson

VICINITY MAP ORDINANCE No. 4357 EXHIBIT "A"



CITY OF BEAVERTON

14615 SW Walker Road

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Services Division

5/24/05

Map # 1S105AD04800

Application # ANX2005-0005

N

EXHIBIT B

ANNEXATION

City of Beaverton

ANX 2005-0005

That tract of land situated in the southeast quarter of the northeast quarter of Section 5, Township 1 South, Range 1 West, Willamette Meridian, Washington County, Oregon. Said tract of land being more particularly described as follows:

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ORDINANCE No. 4357

EXHIBIT C

CITY of BEAVERTON

4755 S.W. Griffith Drive, P.O. Box 4755, Beaverton, OR 97076 General Information (503) 526-2222 V/TDD

STAFF REPORT

TO: City Council **REPORT DATE:** May 23, 2005

AGENDA DATE: June 13, 2005

FROM: Community Development Department
Alan Whitworth, Senior Planner

SUBJECT: 14615 SW Walker Road Expedited Annexation (ANX 2005-0005)

ACTIONS: Annexation to the City of Beaverton of one parcel located at 14615 SW Walker Road. The property is shown on the attached map, identified as tax lot 1S105AD 04800, and more particularly described by the attached legal description. The annexation of the property is owner initiated (petition attached) and is being processed as an expedited annexation under ORS 222.125 and Metro Code 3.09.045.

NAC: This property is not currently within a Neighborhood Association Committee (NAC). The Neighborhood Office is recommending that this property not be added to a NAC at this time.

AREA: Approximately 0.35 acres

TAXABLE BM 50 ASSESSED VALUE: $ 136,680

ASSESSOR'S REAL MARKET VALUE: $ 189,470

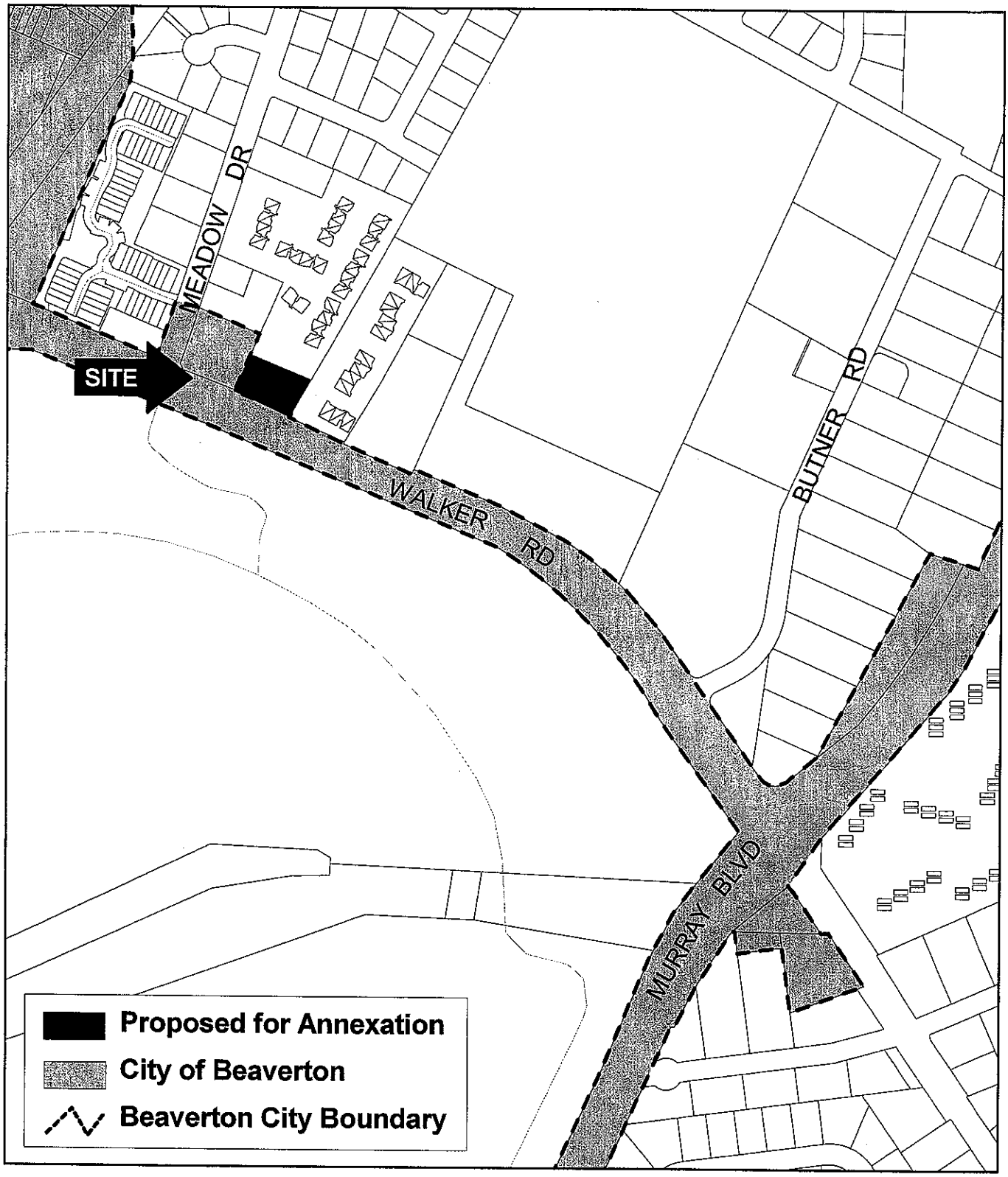
NUMBER OF LOTS: 1

EXISTING COUNTY ZONE: Residential - 15 units to the acre

RECOMMENDATION

Staff recommends the City Council adopt an ordinance annexing the referenced property, effective thirty days after the Mayor's signature or the date the ordinance is filed with the Secretary of State as specified by ORS 222.180, which ever is later.

VICINITY MAP



CITY OF BEAVERTON

14615 SW Walker Road

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Services Division

5/24/05

Map # 1S105AD04800

Application # ANX2005-0005

N

BACKGROUND

The request is to annex one tax parcel located at 14615 SW Walker Road. The parcel is approximately 0.35 acres and is occupied by two single-family houses. The property owner has consented to the annexation. (There are no electors residing on the parcel.) This consent allows this to be processed as an expedited annexation under ORS 222.125 and Metro Code 3.09.045 and no public hearing is required.

The Neighborhood Office is recommending that this property not be added to a Neighborhood Association Committee at this time. The Neighborhood Program Manager has informed staff that the City is reviewing the issue of creating a new NAC to serve this area.

In December, the City and Washington County entered into an Intergovernmental Agreement that established an area "A", in which the City could proceed with annexations without County consent, and an area "B", in which the City would need to obtain County consent to proceed with annexation. This proposed annexation is in area "A".

EXISTING CONDITIONS

SERVICE PROVISION:

The following analysis details the various services available to the property to be annexed. Cooperative, urban service and intergovernmental agreements affecting provision of service to the subject property are:

- The City has entered into ORS Chapter 195 cooperative agreements with Washington County, Tualatin Valley Fire and Rescue District, Tualatin Hills Parks and Recreation District, Tualatin Valley Water District and Clean Water Services.
- The City has entered into an agreement with Tualatin Valley Water District that has been designated an ORS 195.065 Urban Service Agreement by the parties. (No other ORS Chapter 195 Urban Service Agreements have been executed that would affect this decision.)
- The City has entered into an ORS Chapter 190 intergovernmental agreement with Clean Water Services.
- The City has been a party to a series of ORS Chapter 190 intergovernmental agreements "for Mutual Aid, Mutual Assistance, and Interagency Cooperation Among Law Enforcement Agencies Located in Washington County, Oregon", the last of which was signed by Beaverton Mayor Rob Drake on August 9, 2004. This agreement specifies the terms under which a law enforcement agency may provide assistance in response to an emergency situation outside its jurisdiction when requested by another law enforcement agency.

- On December 22, 2004 the City entered into an intergovernmental agreement with Washington County defining areas that the City may annex for ten years from the date of the agreement without opposition by the County. The property proposed for annexation by this application is included in the areas the City may annex without County opposition.

This action is consistent with those agreements.

POLICE: The property to be annexed currently receives police protection from the Washington County Enhanced Sheriff's Patrol District (ESPD). The property will be withdrawn from the ESPD and the City will provide police service upon annexation. In practice whichever law enforcement agency is able to respond first, to an emergency, does so in accordance with the mutual aid agreement described above.

FIRE: Tualatin Valley Fire & Rescue (TVF&R) provides fire and ambulance service to the property. The City annexed its own fire services to TVF&R in 1995. TVF&R is designated as the long-term service provider to this area.

SEWER: There currently is an 8-inch sanitary sewer line in SW Walker Road that is available to serve this property. Upon annexation the City will be responsible for billing.

WATER: Tualatin Valley Water District (TVWD) provides water service to the area. ORS 222.520 allows cities to assume water service responsibilities when annexing less than an entire district. However, the City entered into an intergovernmental agreement with TVWD in 2002 that we would not withdraw property from the District when we annex it. TVWD will continue to provide service, maintenance and perform billing.

STORM WATER DRAINAGE: When the property redevelops, storm drainage will be reviewed as part of that development review process. Upon annexation, billing responsibility will transfer to the City.

STREETS and ROADS: Access to this property is via SW Walker road, which is a County maintained arterial road.

PARKS and SCHOOLS: The proposed annexation is within both the Beaverton School District and the Tualatin Hills Parks and Recreation District. Neither services nor district boundaries associated with these districts will be affected by the proposed annexation.

PLANNING, ZONING and BUILDING: Washington County currently provides long-range planning, development review and building inspection for the property. Upon annexation, the City will provide those services. Pursuant to the Urban Planning Area Agreement (UPAA) between the City and County, City Comprehensive Plan and Zoning Designations should be applied to this parcel in a separate action within six months of annexation.

PUBLIC INVOLVEMENT

Consistent with Metro Code Section 3.09.045, the City will send notice of the proposed annexation on or before May 24, 2005 (20 days prior to the agenda date) to all necessary parties including Washington County, Metro, affected special districts and County service districts. Additionally, the City sent notice to the following parties:

- John Lee, Hans & Eugene, LLC 4041 Imperial Drive, West Linn, OR, 97069, the property owner; and,
- The Five Oaks Neighborhood Association Committee and the Cedar Hills/Cedar Mill Citizen Participation Organization; interested parties as set forth in City Code Section 9.06.035.

The notice and a copy of this staff report will be posted on the City's web page.

CRITERIA FOR APPROVAL

REGIONAL ANNEXATION CRITERIA:
In December 1998 the Metro Council adopted Metro Code Chapter 3.09 (Local Government Boundary Changes). Metro Code Section 3.09.050 includes the following minimum criteria for annexation decisions:

3.09.050 (d) An approving entity's final decision on a boundary change shall include findings and conclusions addressing the following criteria:

> **(1)** Consistency with directly applicable provisions in an urban services provider agreement or annexation plan adopted pursuant to ORS 195.065;

Findings: This staff report addresses the provision of services in detail and the provision of these services is consistent with cooperative agreements between Beaverton and the service providers. The City has not yet entered into an urban services provider agreement under ORS 195.065 that relates to all potential urban service providers in and around the city, although discussion with other urban services providers on the content of an agreement have occurred sporadically over the last several years, and the

City has proposed an agreement that is acceptable to most of the parties. Because a comprehensive urban service agreement has not been completed, it is not possible to consider adoption of an annexation plan. The City has entered into one agreement that has been designated an ORS 195.065 Urban Service Agreement with Tualatin Valley Water District and this proposed action is consistent with that agreement, as explained in the findings above under existing conditions relating to water service .

As previously noted, On December 22, 2004 the City entered into an intergovernmental agreement with Washington County, titled the "Beaverton-Washington County Intergovernmental Agreement Interim Urban Services Plan" defining areas that the City may annex for ten years from the date of the agreement without opposition by the County, and referencing ORS 195.065(1). The property proposed for annexation by this application is within the ten year annexation area. No other ORS Chapter 195 Urban Service Agreements have been executed that would affect this proposed 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;

Findings: The City has entered into an ORS Chapter 190 intergovernmental agreement with Clean Water Services, which was updated as of July 1, 2004. Exhibit 'A' to the new agreement defines areas within the "Beaverton Area of Assigned Service Responsibility" where, subsequent to annexation, specified maintenance responsibilities for sanitary sewer lines under 24 inches in diameter and for certain storm drainage facilities and surface water management functions would transfer to the City of July 1 of any year if so requested by the City by January 1 of that year. This property is currently served by an 8-inch sanitary sewer line in Walker Road, which is maintained by the City of Beaverton. No storm sewer lines are included as part of this annexation. The above mentioned agreement does not apply to this annexation.

The acknowledged Washington County – Beaverton Urban Planning Area Agreement (UPAA) does not contain provisions directly applicable to City decisions regarding annexation. The UPAA does address actions to be taken by the City after annexation, including annexation related Comprehensive Plan Land Use Map amendments and rezones. These actions will occur through a separate process.

(3) Consistency with specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facilities plans;

Findings: ***<u>Comprehensive Plans:</u> The only relevant policy of the City of Beaverton's Comprehensive Plan is Policy 5.3.1.d, which states "The City shall seek to eventually incorporate its entire Urban Services Area." The subject territory is within Beaverton's Assumed Urban Services Area, which is Figure V-1 of the City of Beaverton's Acknowledged Comprehensive Plan.***

After reviewing the Washington County Comprehensive Framework Plan for the Urban Area on the County's web site (reflecting changes through County Ordinance No. 598) as well as ordinances adopted subsequently up to the date of this staff report that amended the Comprehensive Framework Plan, staff finds that the following provisions may be applicable to this proposed annexation:

- ***A paragraph in the "County-Wide Development Concept" at the beginning of the Comprehensive Framework Plan which states:***

  As development occurs in accordance with this development concept, issues of annexation or incorporation may arise. Annexation or incorporation issues will necessarily relate to various other planning issues such as community identity, fiscal impacts of growth and service provision, coordination between service providers to achieve efficiencies and ensure availability, etc. As such issues arise; the County should evaluate community identity as an issue of equal importance with public service provision issues when developing policy positions on specific annexation or incorporation proposals.

Staff views this statement as direction to the County itself in how to evaluate annexation proposals, and not guidance to the City regarding this specific proposal. As a necessary party, the County has an opportunity to comment on and appeal this proposed boundary change if they believe the boundary change is inconsistent with the approval criteria (see Metro Code section 3.09).

- ***Policy 15 of the Comprehensive Framework Plan, relating to Roles and Responsibilities for Serving Growth, says:***

  It is the policy of Washington County to work with service providers, including cities and special service districts, and Metro, to ensure that facilities and services required for growth will be provided when needed by the agency or agencies best able to do so in a cost effective and efficient manner.

  Two implementing strategies under Policy 15 that relate to annexation state:

  The County will:

f. If appropriate in the future, enter into agreements with service providers which address one or more of the following:
   3. Service district or city annexation

g. Not oppose proposed annexations to a city that are consistent with an urban service agreement or a voter approved annexation plan.

The City of Beaverton, Washington County and the other urban service providers for the subject area have been working off and on for several years to arrive at an urban service area agreement for the Beaverton area pursuant to ORS 195.065 that would be consistent with Policy 15 and the cited implementing strategies. Unfortunately, although most issues have been resolved, a few issues remain between the County and the City that have prevented completion of the agreement. These issues do not relate to who provides services or whether they can be provided when needed in an efficient and cost effective manner so much as how the transfer of service provision responsibility occurs, particularly the potential transfer of employees and equipment from the County to the City. As previously noted the County and the City have entered into an intergovernmental agreement that sets an interim urban services plan area in which the County commits to not oppose annexations by the City.

Staff has reviewed other elements of the County Comprehensive Plan, particularly the Cedar Hills/Cedar Mill Community Plan that includes the subject property, and was unable to identify any provision relating to this proposed annexation.

<u>Public Facilities Plans</u>: The City's public facilities plan consists of the Public Facilities and Services Element of the Comprehensive Plan, the Transportation Element of the Comprehensive Plan, the City's Capital Improvements Plan, and the most recent versions of master plans adopted by providers of the following facilities and services in the City: storm water drainage, potable water, sewerage conveyance and processing, parks and recreation, schools and transportation. Where a service is provided by a jurisdiction other than the City, by adopting the master plan for that jurisdiction as part of its public facilities plan, the City has essentially agreed to abide by any provisions of that master plan. No relevant urban services as defined by Metro Code Section 3.09.020(m) will change subsequent to this annexation.

Staff could not identify any provisions in the Washington County Public Facilities Plan relevant to this proposed annexation.

(4) Consistency with specific directly applicable standards or criteria for boundary changes contained in the Regional Framework Plan or any functional plan;

Findings: The Regional Framework Plan (which includes the RUGGOs and the Urban Growth Management Functional Plan) does not contain policies or criteria directly applicable to annexation decisions of this type.

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

Findings: The Existing Conditions section of this staff report contains information addressing this criterion in detail. The proposed annexation will not interfere with the provision of public facilities and services. The provision of public facilities and services is prescribed by urban services provider agreements and the City's capital budget.

(6) The territory lies within the Urban Growth Boundary; and

Findings: The property lies within the Urban Growth Boundary.

(7) Consistency with other applicable criteria for the boundary change in question under state and local law.

Findings: OAR 660-001-0310 states "A city annexation made in compliance with a comprehensive plan acknowledged pursuant to ORS 197.251(1) shall be considered by Land Conservation and Development Commission to have been made in accordance with the goals...". Compliance with the Comprehensive Plan was addressed in number 3 above. The applicable Comprehensive Plan policy cited under number 3 above was acknowledged pursuant to Department of Land Conservation and Development Order 001581 on December 31, 2003, meaning it became unnecessary for the City to address the Statewide Planning Goals after that date in considering proposed annexations. There are no other criteria applicable to this boundary change in State Law or local ordinances. The City of Beaverton does have Annexation Policies (attached) adopted by resolution and this proposed annexation is consistent with those policies. Staff finds this voluntary annexation with no associated development or land use approvals is consistent with State and local laws for the reasons stated above.

3.09.050 (g) Only territory already within the defined Metro Urban Growth Boundary at the time a petition is complete may be annexed to a city or included in territory proposed for incorporation into a new city. However, cities may annex individual tax lots partially within and without the Urban Growth Boundary.

Findings: ***This criterion is not applicable to this application because the territory in question has been inside of the Portland Metro Urban Growth Boundary since the boundary was created.***

Attachments: Annexation Petition
Legal Description
City Annexation Policies

ANNEXATION PETITION

CITY OF BEAVERTON
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING SERVICES
4755 S.W. GRIFFITH DRIVE
P.O. BOX 4755
BEAVERTON, OR 97076-4755
PHONE: (503) 350-4039

PETITION FOR A CONSENT ANNEXATION

PURSUANT TO ORS 222.125

PLEASE USE ONE PETITION PER TAX LOT

FOR OFFICE USE

FILE NAME: 14615 SW Walker Rd Expedited Annexation

FILE NUMBERS: ANX 2005-0005

MUST BE SIGNED BY ALL OWNERS. IF THE OWNER IS A CORPORATION OR AN ESTATE THE PERSON SIGNING MUST BE AUTHORIZED TO DO SO. MUST ALSO BE SIGNED BY NOT LESS THAN 50 PERCENT OF ELECTORS (REGISTERED VOTERS), IF ANY, RESIDING ON THE PROPERTY.

PROPERTY INFORMATION

MAP & TAX LOT	STREET ADDRESS (IF ASSIGNED)	# OF OWNERS	# OF RESIDENT VOTERS	# OF RESIDENTS
1S105AD04800	14615 SW Walker Rd.	1	NONE	2

CONTACT PERSON ☐ USE MAILING ADDRESS FOR NOTIFICATION

PRINT OR TYPE NAME: John Lee

BUSINESS NAME: Hans & Eugene LLC

ADDRESS: 4041 Imperial Drive West Linn OR 97068

PHONE #: (503) 269-9118 (503) 255-2445

SIGNATURES OF OWNERS AND ELECTORS CONSENTING TO ANNEXATION (CONTINUED ON BACK)

PRINT OR TYPE NAME: John Lee

SIGNATURE: [signature]

DATE: 5/6/05

☒ OWNER
☐ ELECTOR

MAILING ADDRESS IF DIFFERENT FROM PROPERTY ADDRESS:

LEGAL DESCRIPTION

ANNEXATION

City of Beaverton

ANX 2005-0005

That tract of land situated in the southeast quarter of the northeast quarter of Section 5, Township 1 South, Range 1 West, Willamette Meridian, Washington County, Oregon. Said tract of land being more particularly described as follows:

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ANNEXATION POLICY

RESOLUTION NO. 3785

A RESOLUTION ESTABLISHING CITY OF BEAVERTON URBAN SERVICE AREA AND CORPORATE LIMITS ANNEXATION POLICIES

WHEREAS, the City of Beaverton presently has no defined policies regarding annexation of adjacent urban unincorporated areas, including unincorporated islands; and

WHEREAS, the City's progress toward annexing its assumed urban services area has been slow; and

WHEREAS, previous incremental annexations have resulted in City limits that are odd and create confusion about their location, with many unincorporated "islands" surrounded by properties within the City; and

WHEREAS, the City desires to create more logical boundaries and create complete incorporated neighborhoods; and

WHEREAS, a more assertive policy toward annexation of certain types of properties could improve the City's ability to provide services to its residents efficiently and at a reasonable cost; and

WHEREAS, a more assertive annexation policy could result in more City control of development in adjacent unincorporated areas that could affect the City; and

WHEREAS, the Washington County 2000 policy is to have all urban unincorporated areas annexed by cities over time; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BEAVERTON, OREGON

Council directs the Mayor to pursue the annexation of properties in adjacent urban unincorporated areas in accordance with the policies in Attachment A to this resolution.

Adopted by the Council this 1st day of November, 2004.

Approved by the Mayor this 2ND day of NOVEMBER, 2004.

Ayes: 4 Nays: 0

ATTEST: APPROVED:

SUE NELSON, City Recorder ROB DRAKE, Mayor

Resolution No. 3785 Agenda Bill: 04220

Attachment A
Resolution No. 3785

City of Beaverton Urban Service Area and Corporate Limits Annexation Policies

A. City of Beaverton Urban Service Area Policy

The City remains committed to annexing its urban services area over time, but the City will be selective regarding the methods of annexation it chooses to use. The City of Beaverton prefers to avoid use of annexation methods that may force annexation against the will of a majority of voters in larger unincorporated residential neighborhoods. The City is, however, open to annexation of these areas by other means where support for annexation is expressed, pursuant to a process specified by State law, by a majority of area voters and/or property owners. The City is open to pursuing infrastructure/service planning for the purposes of determining the current and future needs of such areas and how such areas might best fit into the City of Beaverton provided such unincorporated residents pursue an interest of annexing into the City.

B. City of Beaverton Corporate Limits Policy

The City of Beaverton is committed to annexing those unincorporated areas that generally exist inside the City's corporate limits. Most of these areas, known as "islands", generally receive either direct or indirect benefit from City services. The Washington County 2000 Policy, adopted in the mid-1980s, recognizes that the County should not be a long-term provider of municipal services and that urban unincorporated areas including unincorporated islands should eventually be annexed to cities. As such, primarily through the use of the 'island annexation method', the City's objectives in annexing such areas are to:

- Minimize the confusion about the location of City boundaries for the provision of services;
- Improve the efficiency of city service provision, particularly police patrols;
- Control the development/redevelopment of properties that will eventually be within the City's boundaries;
- Create complete neighborhoods and thereby eliminate small pockets of unincorporated land; and
- Increase the City's tax base and minimize increasing the City's mill rate.

In order to achieve these stated objectives, the City chooses to generally pursue the following areas for 'island annexation' into the City of Beaverton:

- Undeveloped property zoned for industrial, commercial uses or mixed uses;
- Developed or redevelopable property zoned for industrial, commercial or mixed uses;
- Undeveloped or redevelopable property zoned for residential use;
- Smaller developed property zoned residential (within a neighborhood that is largely incorporated within the City of Beaverton).