

Final Documents

For

Annexation to the
City of Hillsboro

WA3706

Ordinance #5468

DOR 34-1815-2006

Sec. State: AN-2006-0263

1S203AB00800

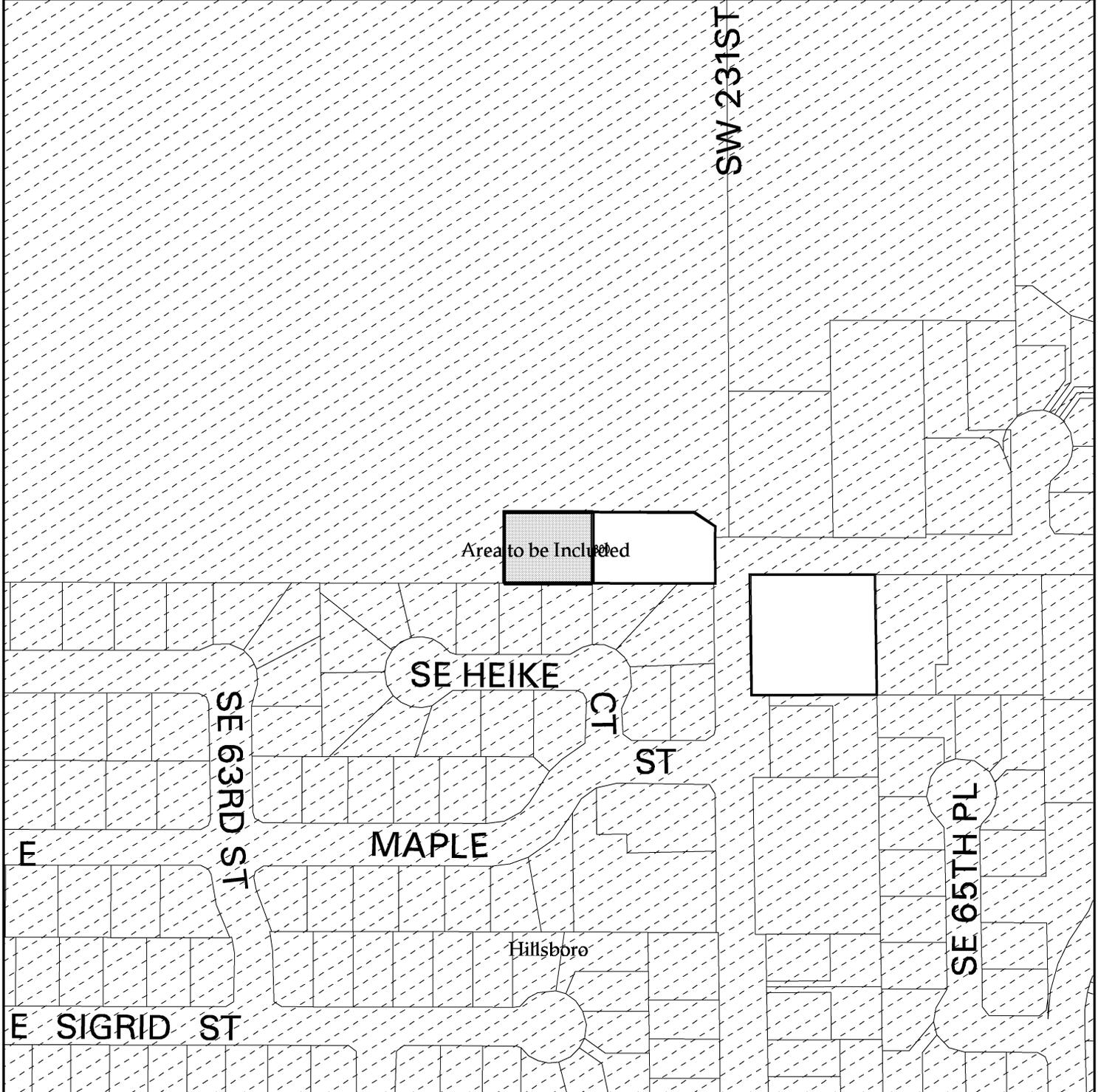
No Site Address

Proposal No. WA3706

1S2W03

Annexation to the City of Hillsboro

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

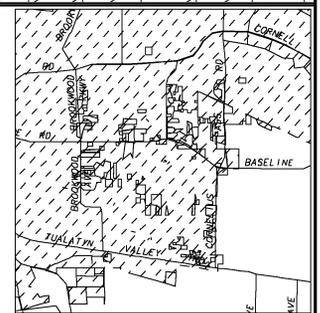
City

Annexation boundary

Urban Growth Boundary

Proposal No. WA3706
CITY OF HILLSBORO
Figure 1

Scale: 1" = 200'





August 28, 2006

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 August 28, 2006, the following records annexing territory to the following:

Ordinance/Resolution Number(s)	Our File Number
OR NO ANX-05-04 (City of West Linn)	AN 2006-0262
OR NO 5468 (City of Hillsboro)	AN 2006-0263
RES NO 2006-179 (CC Service Dist. #1)	SD 2006-0101
RES NO 2006-180 (CC Service Dist. #1)	SD 2006-0102

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

Notice to Taxing Districts

ORS 308.225



Cadastral Information Systems 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
August 15, 2006
As Per ORS 308.225

Description Map received from: METRO
 On: 8/11/2006

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

ANNEX TO CITY OF HILLSBORO; WITHDRAW FROM SEVERAL DISTRICTS (AN
 28-04 HAAG AND WARREN)

ORD. #5468 (WA3706)

has been: Approved 8/15/2006
 Disapproved

Notes:

Department of Revenue File Number: 34-1815-2006

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

ORDINANCE NO. 5468
AN 28-04: HAAG AND WARREN

CERTIFIED TO BE A TRUE AND
CORRECT COPY OF THE ORIGINAL
Amber Denny
Recorder, City of Hillsboro

AN ORDINANCE ANNEXING A CERTAIN TRACT OF LAND INTO THE CITY LIMITS OF HILLSBORO, WITHDRAWING THE TRACT FROM THE TERRITORIES OF WASHINGTON COUNTY RURAL FIRE PROTECTION DISTRICT NO. 2, WASHINGTON COUNTY SERVICE DISTRICT FOR ENHANCED LAW ENFORCEMENT, WASHINGTON COUNTY SERVICE DISTRICT FOR URBAN ROAD MAINTENANCE, AND WASHINGTON COUNTY SERVICE DISTRICT NO. 1 FOR STREET LIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, the City received a complete petition from the property owners of a certain tract of land, described in Exhibit A to this ordinance, requesting that the property be annexed to the city limits of Hillsboro;

WHEREAS, the petition represented 100 percent of the property owners of the territory requesting to be annexed into the City Limits of Hillsboro as required by ORS 222.125 in order to consent to an annexation;

WHEREAS, the tract of land is contiguous to the City and can be served by City services;

WHEREAS, the City Council dispenses with submitting the question of the proposed annexation to the electors of the City for their approval or rejection;

WHEREAS, the tract of land is located within Urban Planning Area A of the Urban Area Agreement between Washington County and the City of Hillsboro, adopted on December 15, 1998;

WHEREAS, the Urban Planning Area Agreement specifies that all property owners in Urban Planning Area A interested in annexation are welcome to contact the City for information and assistance they need to initiate and complete the annexation process;

WHEREAS, the tract of land lies within the following districts: Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; Washington County Service District for Urban Road Maintenance; and Washington County Service District #1 for Street Lights;

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

WHEREAS, the City Council conducted a public hearing on this matter on December 7, 2004, and does hereby favor the annexation of the subject tract of land and withdrawals from the districts based on the findings attached hereto as Exhibit B;

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

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

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

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

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

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

Passed by the Council this 7th day of December, 2004.

Approved by the Mayor this 7th day of December, 2004.

Mayor

ATTEST:

City Recorder

City of Hillsboro
Annexation 28-04: Haag / Warren
Proposed legal description
MF, November 26, 2004

Exhibit 'A'

A portion of Lot 18, Bohart's Subdivision, a duly recorded subdivision, located in Section 3, Township 1 South, Range 2 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

Beginning at the northeast corner of Lot 46, Blueberry Park, a duly recorded subdivision in said county;

thence North $89^{\circ} 51' 44''$ West, along the north boundary of said Blueberry Park, a distance of 114.21 feet to the southwest corner of that tract of land described in deed to Reginald C. and Camlia Ann Ehlers, recorded Nov. 24, 1970 in Book 799, Page 439 of the deed records of said county;

thence North $0^{\circ} 51' 36''$ West, along the west boundary of said tract, a distance of 99.73 feet to the northwest corner thereof;

thence South $89^{\circ} 54' 48''$ East, along the north boundary of said tract, a distance of 116.84 feet;

thence leaving said north boundary, South $0^{\circ} 04' 46''$ West, a distance of 99.82 feet to the north boundary of said Blueberry Park;

thence North $89^{\circ} 51' 44''$ West, along said north boundary, a distance of 1.00 feet to the place of beginning.

Steven R. Clifford
Land Surveyor
8016 S.E. Taggart St.
Portland, Oregon 97206
Tel. 503 777-0395

Legal Description

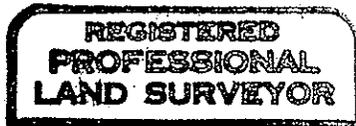
A tract of land situated in the Northeast one-quarter of Section 3, Township 1 South, Range 2 West of the Willamette Meridian, City of Hillsboro, County of Washington, State of Oregon, being more particularly described as follows:

Lot 46, Blueberry Park

Together with the following described tract

Beginning at the Northeast corner of Lot 46, Plat of Blueberry Park; thence along the North line of said Plat North $89^{\circ}51'44''$ West a distance of 114.21 feet to the southwest corner of that tract conveyed to Reginald C. and Camlia Ann Ehlers, Husband and Wife, by deed recorded November 24, 1970 in Book 799, Page 439, Washington County Deed records; thence along the west line of said Ehlers tract North $0^{\circ}51'36''$ West a distance of 99.73 feet to the northwest corner of said Ehlers tract; thence along the north line of said Ehlers tract South $89^{\circ}54'48''$ East a distance of 116.84 feet to a $5/8''$ iron rod with a yellow plastic cap inscribed "Clifford PLS 2172"; thence South $04'46''$ West a distance of 99.82 feet to the North line of said Plat; thence along the North line of said Plat N $89^{\circ}51'44''$ West a distance of 1.00 feet to the point of beginning.

Contains 18556 Sq. Ft.



St R Clifford



34B-36198

130

1967/310

4601

KNOW ALL MEN BY THESE PRESENTS, That REGINALD C. EHLER and CAMLIA ANN EHLER, husband and wife, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by CARY J. HAAG and FRANCES B. HAAG, husband and wife, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Washington and State of Oregon, described as follows, to-wit:

A part of the North half of Lot 18, BOHART'S SUBDIVISION, Washington County, Oregon, more particularly described as follows: Beginning at the intersection of the South line of the North half of said lot and the West line of Southwest 231st Avenue, thence North 89° 54' West along said South line 300 feet; thence North 00° 04' East parallel to the East line of said lot 100 feet; thence South 89° 51' East parallel to the said South line of the North half of said lot, 270 feet; thence southwesterly on a straight line to a point on the west line of said Southwest 231st Avenue that is North 00° 04' East 80 feet from the place of beginning; thence South 00° 04' West along the said West line 80 feet to the place of beginning.

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

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.

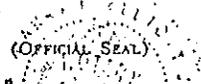
The true and actual consideration paid for this transfer, stated in terms of dollars, is \$21,500.00. However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which).

In construing this deed and where the context so requires, the singular includes the plural. WITNESS grantor's hand this 17th day of November, 1970.

Reginald C. Ehler
Camlia Ann Ehler

STATE OF OREGON, County of Washington ss. Personally appeared the above named REGINALD C. EHLER and CAMLIA ANN EHLER and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: *Henry J. Ellwood*
Notary Public for Oregon
My commission expires Dec 17, 1972



NOTE: The symbols between the symbols @, if not applicable, should be deleted. See Chapter 462, Oregon Laws 1967, as amended by the 1967 Special Session.

WARRANTY DEED

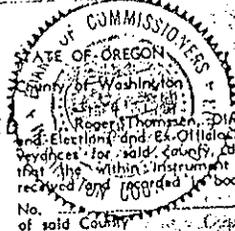
REGINALD C. EHLER and CAMLIA ANN EHLER TO CARY J. HAAG and FRANCES B. HAAG

AFTER RECORDING RETURN TO

WASHINGTON FEDERAL SAVINGS & LOAN ASSN. HILLSBORO, OREGON 97123

DO NOT USE THIS SPACE, RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.

INDEXED



Roger Thomssen, Director of Records and Elections and Official Recorder of Conveyances for said County, do hereby certify that the within instrument of writing was received and recorded in book of records No. 799 of said County.

Witness my hand and seal affixed. ROGER THOMSEN, Director of Records & Elections

Nov 24 2 20 PM '70 Deputy

86198

1095

EXHIBIT B

FINDINGS IN SUPPORT HAAG AND WARREN ANNEXATION FILE NO. AN 28-04

I. BACKGROUND INFORMATION AND SITE DESCRIPTION

Three petitioners representing a portion of one property requested City Council approval for annexation of approximately 0.27 acres into the City Limits of Hillsboro.

The property under consideration is located generally north of SE Maple Street, south of West Baseline Road and west of SW 231st Avenue. The property can be specifically identified as a portion of Tax Lot 800 on Washington County Tax Assessor's Map 1S2-3AB.

The property is relatively flat with mature trees throughout the site. Associated accessory structures are located on the portion of Tax Lot 800 to be annexed.

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 7, 2004.

III. APPLICABLE APPROVAL CRITERIA

Metro Code Chapter 3.09.050(d) specifies the minimum review criteria for a proposed annexation. The six minimum applicable criteria are as follows:

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

FINDING: There is currently a Hillsboro Urban Service Provider Agreement in place for this area, dated April 2, 2003, as required by ORS 195.065 (Senate Bill 122). The units of local government which have entered into this agreement are as follows: Washington County; City of Hillsboro; City of Beaverton; Metro; Clean Water Services; TriMet; Tualatin Valley Park and Recreation District; Tualatin Valley Fire and Rescue District; Tualatin Valley Water District; and Washington County Fire District No. 2. The annexation is consistent with the applicable provisions of the Agreement, specifically Section 1 Roles and Responsibilities(C) and (E).

- 2) *Consistency with directly applicable provisions of urban planning or other agreements, other than agreements adopted pursuant to ORS 195.065, between the affected entity and a necessary party;*

FINDING: The property is identified as being within Urban Area A of the Urban Planning Area Agreement (UPAA) between Washington County and the City of Hillsboro, adopted on December 15, 1998. Pursuant to that agreement, *“the City shall regulate the conversion of vacant land to urban uses in Urban Area A through the extension of water and sewer service, land partitioning requirements, provision of transportation facilities and annexations within the area. Land within Urban Area A shall not be converted to urban uses prior to annexation to the City.”* Section IV (A) of the UPAA also specifies that *“all land in Area A shall annex to the City prior to development. As used in this subsection, “development” includes the construction of any residential dwelling unit structure or related accessory structures.”* Annexation of this property would be consistent with the UPAA, and allow the petitioner the ability to further develop the property.

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

FINDING: The annexation would be consistent with the following Comprehensive Plan policies and implementation measures:

Section 2. Urbanization Policy (III)(A) Urbanization within the planning area shall be consistent with the goals and policies of this Plan. Development shall occur according to the availability of urban services and within the context of the Urban Planning Area Agreement. The City and other government agencies shall encourage property owners to maintain the present rural use and character of undeveloped or underdeveloped lands within the Hillsboro Planning Area until such land is required and proposed for urban use and the necessary urban services are available.

Section 2. Urbanization Implementation Measure (IV)(A)(5) The infill of vacant, bypassed lands, between areas of development, at an urban level, shall be encouraged. Appropriate measures shall be taken to insure that new development in infill areas is compatible with existing developed areas. The City will support a proposed annexation of infill areas and allow subsequent development to occur under the clear and objective standards in its implementing ordinances, including the Zoning and Subdivision ordinances.

Section 2. Urbanization Implementation Measure (IV)(F) All land in the Hillsboro Planning Area is assumed to be available for annexation and/or development, consistent with the Comprehensive Plan, zoning, subdivision regulations, and the Urban Planning Area Agreement.

Section 12. Public Services Implementation Measure (V)(C)(2) The City shall require properties to annex to the City prior to the provision of sanitary sewer service.

Section 12. Public Services Implementation Measure (V)(1)(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 RL – Low Density Residential, which is consistent with the regional urban growth goals and objectives. The property has been recommended for R-7 Single Family Residential zoning, and the City Council will consider the recommended zone immediately following approval of the annexation (Casefile No. ZC 30-04).

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

FINDING: There is an eighteen-inch City water line located in the SW 231st Avenue right-of-way. There is a six-inch City water line located in the SE Heike Court right-of-way. There are eight-inch City sanitary sewer lines located in the SW 231st Avenue and SE Heike Court rights-of-way. There is an eighteen-inch City storm water line located in the SW 231st Avenue right-of-way. There is a twelve-inch City storm water line located in the SE Heike Court right-of-way.

Fire and police protection would be provided by the City of Hillsboro and the properties would be withdrawn from the Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; Washington County Service District for Urban Road Maintenance; and Washington County Service District No. 1 for Street Lights as of the effective date of the annexation.

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

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

FINDING: Pursuant to ORS 222.524, the City of Hillsboro has determined that withdrawal of the properties from the Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; Washington County Service District for Urban Road Maintenance; and Washington County Service District No. 1 for Street Lights is in the best interest of the City.

IV. TESTIMONY FROM NECESSARY PARTIES

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

V. ADDITIONAL MATERIALS CITED BY REFERENCE AND INCLUDED IN FINDINGS

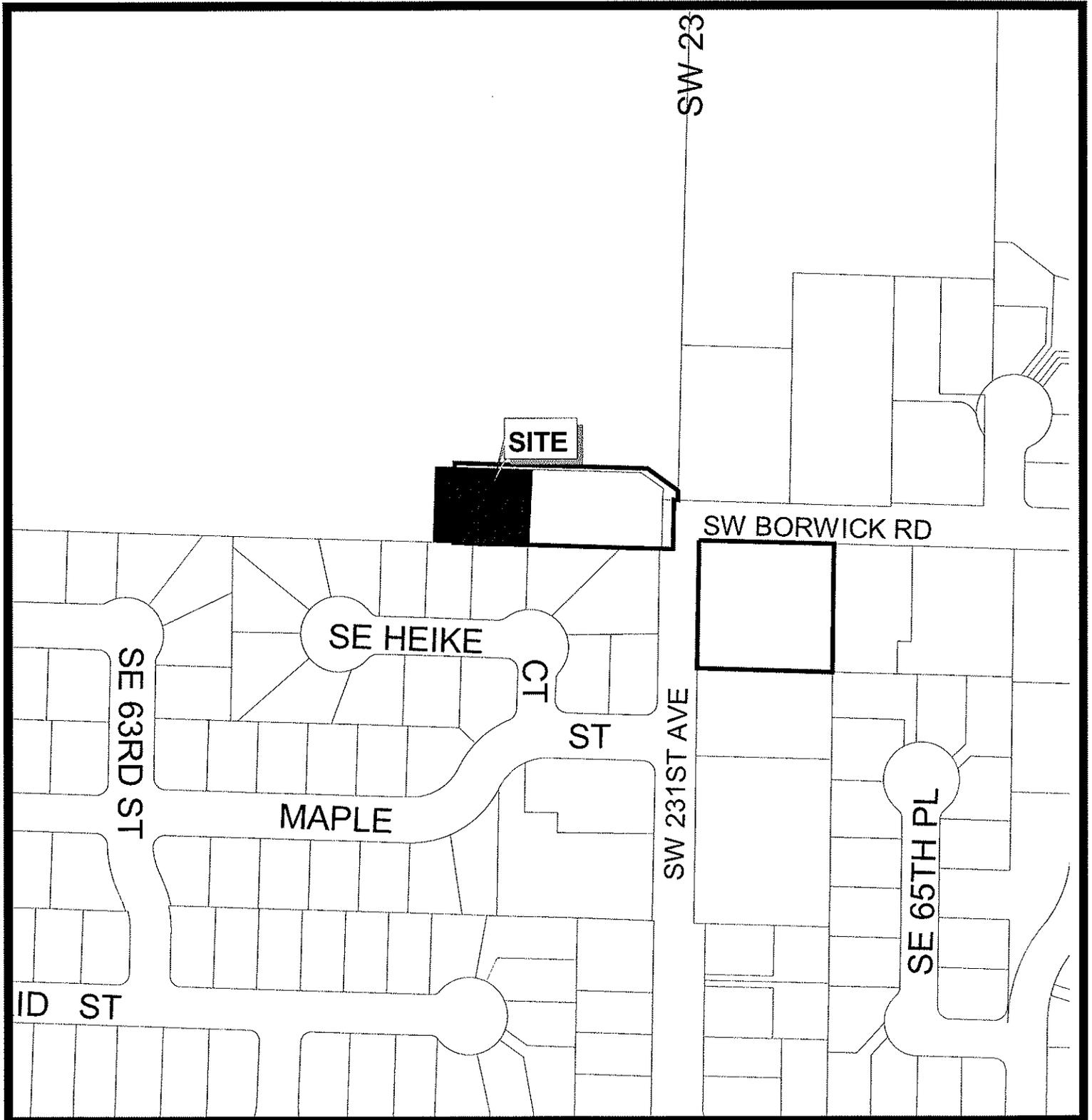
- Staff Report dated November 22, 2004



AN 28-04: HAAG AND WARREN ZC 30-04: HAAG AND WARREN



Request for Annexation of One Property and a Request
for Zone Change Approval for County R-9 (Nine
Units per Acre) to City R-7 Single Family Residential

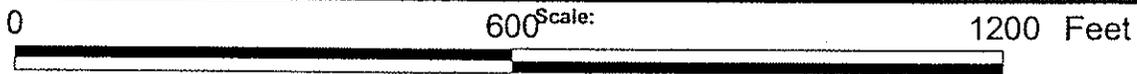
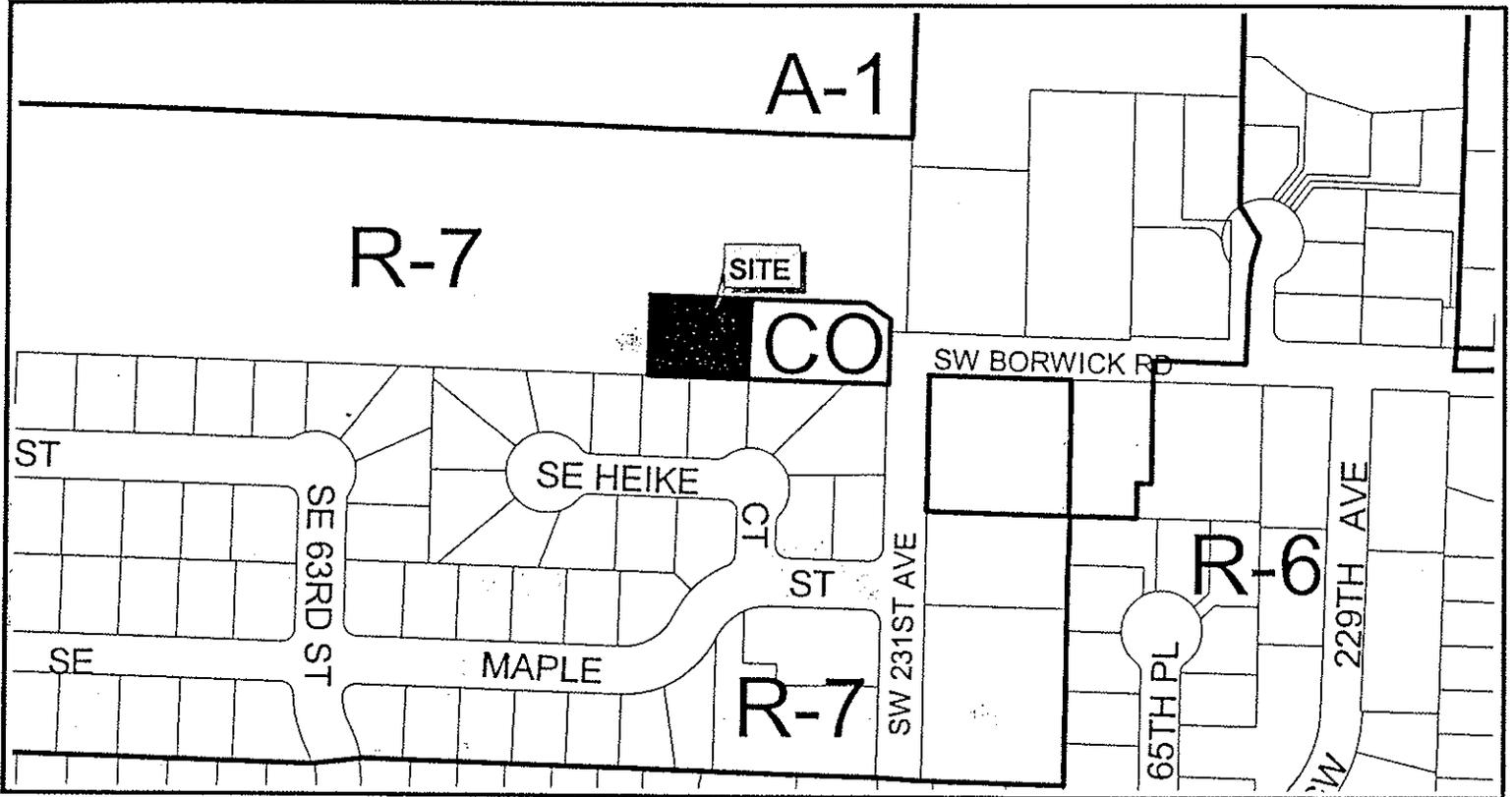




AN 28-04: HAAG AND WARREN ZC 30-04: HAAG AND WARREN



Request for Annexation of One Property and a Request for Zone Change Approval for County R-9 (Nine Units per Acre) to City R-7 Single Family Residential



City of Hillsboro Zoning Designations

R-6	Single Family Residential	R-8.5	Single Family Residential	A-1	Duplex Residential
R-7	Single Family Residential	R-10	Single Family Residential	A-2	Multi-Family Residential
SCC-SC	Station Community Commercial - Station Commercial			A-3	Multi-Family Residential
SCC-MM	Station Community Commercial - Multi-Modal			A-4	Multi-Family Residential
SCC-CBD	Station Community Commercial - Central Business District			C-1	General Commercial
SCC-HOD	Station Community Commercial - Highway Oriented District			C-4	Neighborhood Commercial
SCBP	Station Community Business Park			PUD	Planned Unit Development
SCR-P	Station Community Research Park			M-2	Industrial
SCI	Station Community Industrial			M-P	Industrial Park
SCR-HD	Station Community Residential - High Density			SID	Special Industrial District
SCR-MD	Station Community Residential - Medium Density			SSID	Shute Special Industrial District
SCR-LD	Station Community Residential - Low Density			CO	Unincorporated County
SCR-V	Station Community Residential - Village			ANX	Recent Annexation
SCFI	Station Community Fair Complex Institutional				
SCR-OTC	Station Community Residential - Orenco Townsite Conservation Overlay				
SCR-DNC	Station Community Residential - Downtown Neighborhood Conservation				

