

Final Documents

For

Annexation to the
City of Hillsboro

WA4206
Ordinance #5641
DOR 34-1818-2006
Sec. State AN 2006-0281

Property Information:

1N235DA00400

20935 NW Quatama Road



September 25, 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 September 25, 2006, the following records annexing territory to the following:

Ordinance/Resolution Number(s)	Our File Number
OR NO 5658 (City of Hillsboro)	AN 2006-0280
RES NO 5641 (City of Hillsboro)	AN 2006-0281
OR NO 1215-06 (City of Tualatin)	AN 2006-0282

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
September 7, 2006
As Per ORS 308.225**

Description Map received from: METRO
On: 8/28/2006

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

ANNEX TO CITY OF HILLSBORO; WITHDRAW FROM SEVERAL DISTRICTS (WA4206 SCHRODER)

ORD. #5641 (AN 7-06)

has been: Approved 9/7/2006
 Disapproved

Notes:

Department of Revenue File Number: 34-1818-2006

Prepared by: Carolyn Sunderman, 503-945-8882

Boundary: Change Proposed Change
The change is for:

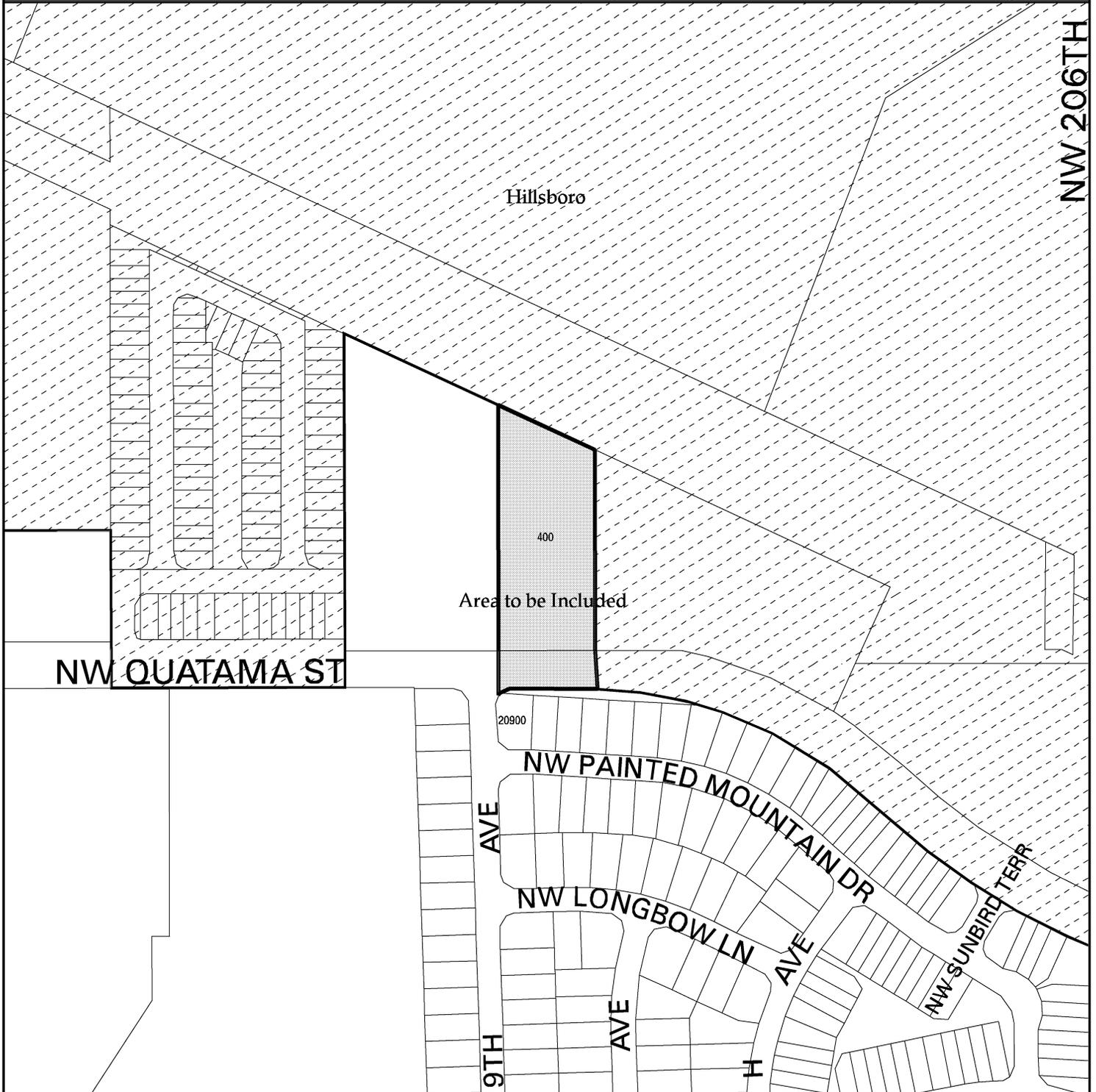
- Formation of a new district
- Annexation of a territory to a district
- Withdrawal of a territory from a district
- Dissolution of a district
- Transfer
- Merge

Proposal No. WA4206

1N2W35DA

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

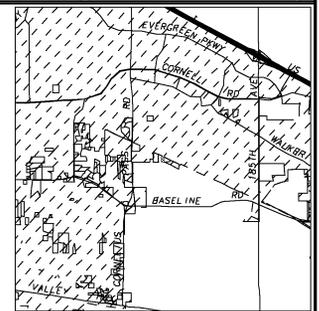
City

Annexation boundary

Urban Growth Boundary

Proposal No. WA4206
CITY OF HILLSBORO
Figure 1

Scale: 1" = 200'



ORDINANCE NO. 5641
AN 7-06: SCHRODER

CORRECT COPY OF THE ORIGINAL
Jim Lambert
Deputy 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 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 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 No. 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 May 16, 2006, 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 No. 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 16th day of May, 2006.

Approved by the Mayor this 16th day of May, 2006.



Mayor

ATTEST: 

Deputy City Recorder

City of Hillsboro
Annexation 7-06: Schroder
Proposed legal description
NS, April 27, 2006

Exhibit 'A'

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

Commencing at the southeast corner of the Isaac Butler Donation Land Claim;

thence West, along the south line of said claim, a distance of 819.38 feet;

thence North a distance of 20 feet to the southwest corner of that tract of land conveyed to Vernon Andrew Schroder and Terri G. Schroder by deed recorded September 30, 1991 as Document No. 91054461 in Deed Records of said county, said corner being the true point of beginning;

thence North $0^{\circ}19'$ West, along the west line of said tract, a distance of 346.79 feet, more or less, to the northwest corner thereof;

thence South $65^{\circ}33'$ East, along the north line of said tract, a distance of 152.2 feet to the northeast corner thereof;

thence South $0^{\circ}19'$ East, along the east line of said tract and the southerly projection thereof, a distance of 339.73 feet, more or less, to the intersection of said projection and the south right of way line of Northwest Quatama Road;

thence along said right of way line, along a 595 foot radius curve, concave to the south, with chord bearing North $89^{\circ}06'19''$ West 11.21', an arc distance of 11.21 feet;

thence continuing along said right of way line, North $89^{\circ}38'41''$ West a distance of 110.14 feet to the beginning of a 22 foot radius curve concave to the south;

thence along said curve, with chord bearing South $65^{\circ}31'11''$ West 18.48', an arc distance of 19.08 feet to the intersection of said curve and the southerly projection of the west line of the aforementioned Schroder Tract;

thence North $0^{\circ}19'$ West, along said projection, a distance of 62.74 feet to the point of beginning.

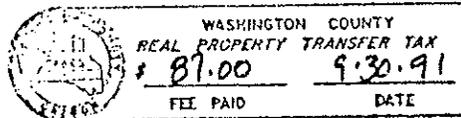
WARRANTY DEED - STATUTORY FORM
Individual/Corporate

91054461
Washington County

Escrow Number: 2311144

Melinda S. Cary
Grantor, conveys and warrants to
Vernon Andrew Schroder and Terri G. Schroder, Husband and Wife
Grantee, the following described real property free of encumbrances except as
specifically set forth herein situated in Washington County, Oregon:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND BY THIS REFERENCE INCORPORATED
HEREIN.



The above described property is free from encumbrances except covenants, conditions,
restrictions, rights of way, easements and reservations now of record and
1991-92 taxes a lien not yet payable.

The true and actual consideration for this conveyance is \$ 86,900.00

Dated this 27 day of Sept., 1991 ; if this deed is given by a corporate grantor, its name is
signed by its authorized officers by authority of the Board of Directors.

Melinda S. Cary
Melinda S. Cary

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.

STATE OF OREGON, County of Washington
Personally appeared the above named Melinda S. Cary

STATE OF OREGON, County of
Personally appeared

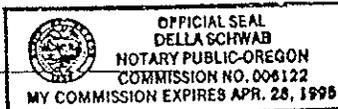
who, being duly sworn,
each for himself and not one for the other, did say that the former is the
president and that the latter is the secretary of

Instrument to be and acknowledged the foregoing
voluntary act and deed.

a corporation, and that the said instrument was signed 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:

Before me:
Della Schwab
Notary Public for Oregon
My commission expires:

Notary Public for Oregon
My commission expires:



After recording return to:

Mr. and Mrs. Vernon Schroder
20935 N.W. Quatama Rd
Beaverton, Oregon 97006

Until a change is requested all tax statements shall be sent to the following address.

Mr. and Mrs. Vernon Schroder
20935 N.W. Quatama Rd
Beaverton, Oregon 97006

STATE OF OREGON,

County of _____
I certify that the within instru-
ment was received for record on the
____ day of _____, 19____,
at _____ o'clock ____ M., and recorded in
book/reel/volume No. _____ on
page _____ or as fee/file/instrument/
microfilm/reception No. _____
Records of Deeds of said county.

Witness my hand and seal of
County affixed.

NAME TITLE
BY _____ Deputy

SPACE RESERVED
FOR
RECORDER'S USE

8000018

SEP 30 1991

TX 28810

TRANSAMERICA
TITLE INSURANCE 231144

SEP 30 1991

Description:

Beginning at a point which is 819.38 feet West of the Southeast corner of the Isaac Butler Donation Land Claim and 20 feet North of the South line of said claim; thence North 0°19' West 346.79 feet, more or less, to an intersection with a line 50 feet Southerly from, measured at right angles to, the center line of the Oregon Electric Railroad Company's tract and parallel with said tract; thence South 65°33' East along a line parallel with and 50 feet Southerly from, measured at right angles to, the center line of the aforesaid railroad track, 152.2 feet; thence South 0°19' East 283.8 feet, more or less, to a point 20 feet North of the South line of the said Isaac Butler Donation Land Claim; thence West 138.2 feet to the place of beginning, in the Southeast one-quarter of Section 35, Township 1 North of Range 2 West of the Willamette Meridian, in the County of Washington and State of Oregon.

STATE OF OREGON

County of Washington

88

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

Doc : 91054461

Rect: 63101

125.00

09/30/1991 02:43:23PM

2

EXHIBIT B

FINDINGS IN SUPPORT SCHRODER ANNEXATION FILE NO. AN 7-06

I. BACKGROUND INFORMATION AND SITE DESCRIPTION

One petitioner representing one property requested City Council approval for annexation of approximately 1.00 acres into the City Limits of Hillsboro.

The property under consideration is located generally north of NW Quatama Road, west of NW 206th Avenue, east of NW Cornelius Pass Road, and south of the MAX Light Rail line. The property can be specifically identified as Tax Lot 400 on Washington County Tax Assessor's Map 1N2-35DA. The assessed value of the property is \$186,680. The Measure 50 Base Value is \$181,250.

The City of Hillsboro Goal 5 Natural Resource Inventory does not identify significant natural resources and/or impact area on the site. Approximately half the site is inside the 250-foot area of potential impact on the Clean Water Services Sensitive Areas Pre-Screen Map. At the time the annexation application was filed, the property had yet not annexed into the Clean Water Services service district. A single family residence is located on Tax Lot 400, which is addressed at 20935 NW NW Quatama Road.

II. PROCEDURAL REQUIREMENTS

In accordance with ORS 222.125 the petition for annexation from the property owner 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 May 16, 2006.

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:

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)(I)(2) The City shall require properties in the urban area to annex to the City prior to the provision of water service.

In particular, the annexation would be consistent with Section 2. Urbanization Implementation Measure (IV)(A)(5), supporting the annexation of infill areas; and Section 2. Urbanization Implementation Measure (F), all land in the Hillsboro Planning Area is assumed to be available for annexation.

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

FINDING: The annexation would be consistent with regional framework and functional plans. The City's current plan designation for the property is SCPA – Station Community Planning Area, which is consistent with the regional urban growth goals and objectives. The property has been recommended for SCR-HD – Station Community Residential-High Density, and the City Council will consider the recommended zone immediately following approval of the annexation (Casefile No. ZC 10-06).

- 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 a sixteen-inch Tualatin Valley Water District water line located in the NW Quatama Road right-of-way. There is a ten-inch sanitary sewer line located in the NW Quatama Road right-of-way, approximately 400 feet east. There is no City storm sewer line located in the NW Quatama Road 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.

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 petitioners 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.

- 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 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 1, 2006

AN 7-06, ZC 10-06: Schroder





AN 7-06 / ZC 10-06



SCHRODER

