Final Documents

For

Annexation to the
City of Hillsboro

WA4403
Ordinance #5295
DOR 34-1628-2003
SOS AN-2003-0188

Final to DOR:

Signature:

Date of
Mailing: 8/19/03

Final to Secretary of State

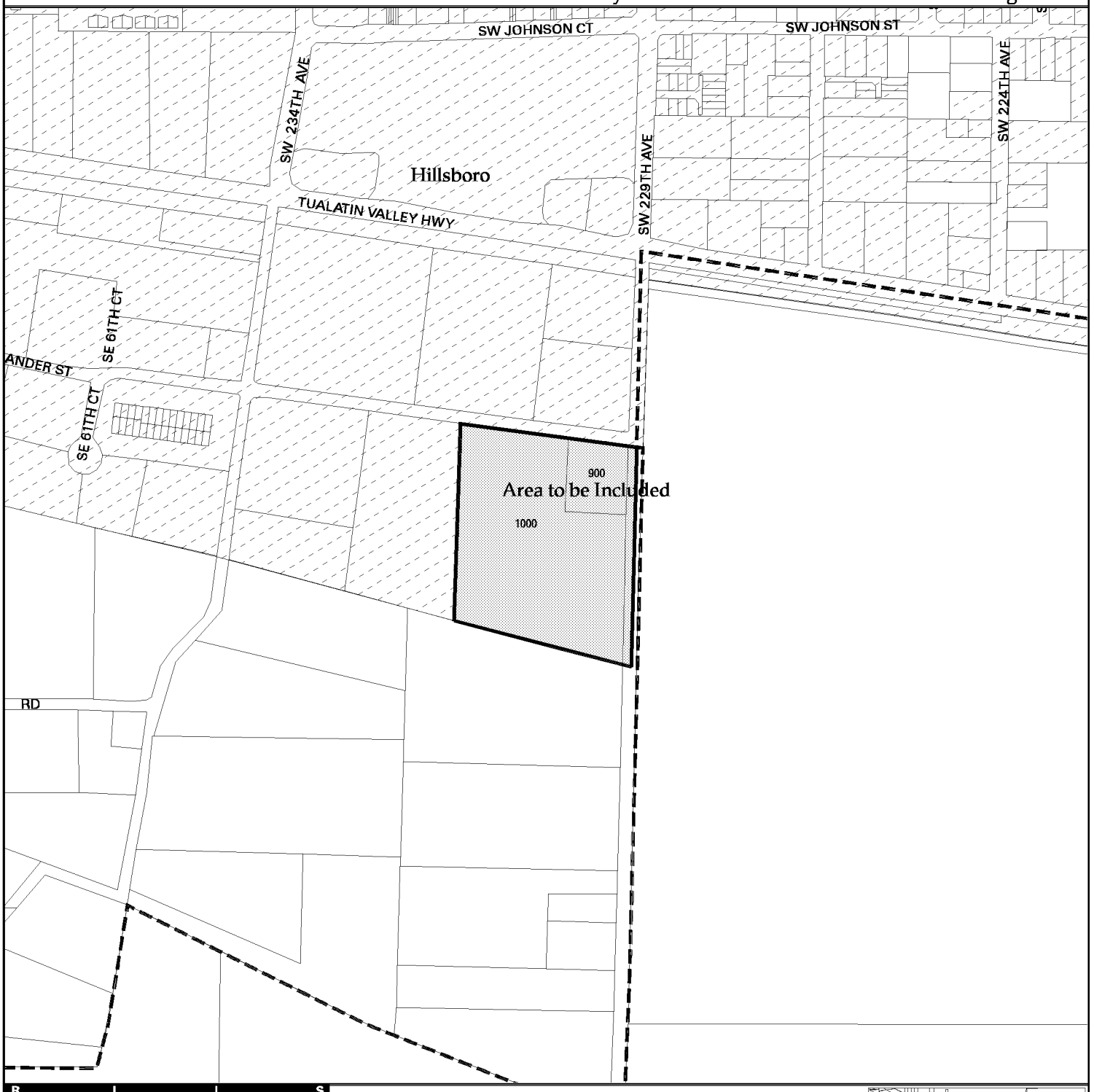
Signature:

Date of
Mailing: 8/27/03

WA4403	Sent	Received
DOR:	8/19/03	8/21/03
Sec. State:	8/27/03	9/10/03
Assessor:	8/27/03	
Elections:	8/27/03	
Mapped:	Yes	
Addresses:	1S210DB01000	3455 SW 229th AVE
	1S210DB00900	3295 SW 229th AVE

Proposal No. WA4403

1S2W10 | 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

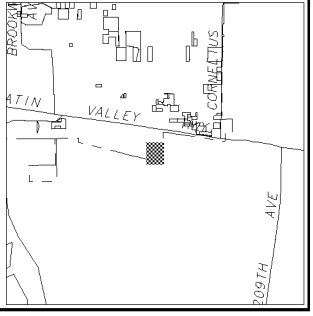
The information on this map was derived from digital databases on Metro's GIS. Care was taken in the creation of this map. Metro cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied, including the warranty of merchantability or 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. WA4403
CITY OF HILLSBORO
Figure 1

Scale: 1" = 500'

0 500 1000



/bdyadmin/plots/plotjur/begin.aml, plot date: August 19, 2003

Please recycle with colored office grade paper

DOR 34-1628-2003

Notice to Taxing Districts

ORS 308.225

OREGON DEPARTMENT OF REVENUE
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
August 21, 2003
As Per ORS 308.225

☒ Description ☒ Map received from: METRO
On: 8/20/2003

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

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

ORD. #5295

has been: ☒ Approved 8/21/2003
☐ Disapproved

Notes:

Department of Revenue File Number: 34-1628-2003

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

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

September 7, 2003

Metro
600 NE Grand Ave
Portland, OR 97232-2736

Dear Mr. Knight:

Please be advised that we have received and filed the following Annexation(s).

Ordinance(s):	City of:	Our File Number(s):
5295	city of Hillsboro	AN 2003-0188
5296	city of Hillsboro	AN 2003-0189
5297	city of Hillsboro	AN 2003-0190

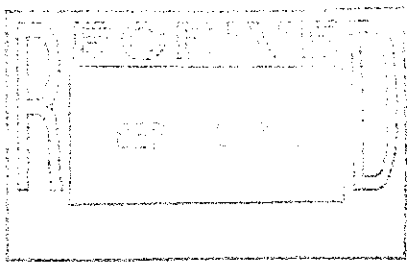
All the above Final Order(s) determination of the effective date is subject to ORS199.461 and/or ORS 222.180 and/or ORS 222.750

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

Sincerely,

Rita F. Mathews
Official Public Documents

cc: County Clerk
ODOT/Highway Dept
PSU/Population Research Ctr.
Revenue Cartography Section



CERTIFIED TO BE A TRUE AND CORRECT COPY OF THE ORIGINAL

Jail Daubel
Recorder, City of Hillsboro

ORDINANCE NO. 5295
AN 6-03: CALVARY CHURCH

AN ORDINANCE ANNEXING CERTAIN TRACTS OF LAND INTO THE CITY LIMITS OF HILLSBORO AND WITHDRAWING THE TRACT FROM THE TERRITORIES OF WASHINGTON COUNTY RURAL FIRE PROTECTION DISTRICT NO. 2, 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 certain tracts 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 tracts of land are 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 tracts of land lie within the following districts: Washington County Rural Fire Protection District No. 2; 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 August 5, 2003, and does hereby favor the annexation of the subject tracts 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 tracts of land, described in Exhibit A, is declared to be annexed to the City of Hillsboro, Oregon.

Section 2. The tracts 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 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 5th day of August, 2003.

Approved by the Mayor this 5th day of August, 2003.

Tom Hughes
Mayor

ATTEST: Jail Wachd
City Recorder

CERTIFIED TO BE A TRUE AN
CORRECT COPY OF THE ORIGINA

Recorder, City of Hills

City of Hillsboro
Annex 6-03: Calvary Church
Proposed legal description
NS, July 2, 2003

Exhibit 'A'

A tract of land in Section 10, Township 1 South, Range 2 West, Willamette Meridian, Washington County, Oregon, more particularly described as follows:

Beginning at the Southeast corner of the Benjamin Stewart Donation Land Claim No. 44;

thence North 74°21'00" West, along the south line of that tract of land conveyed to Calvary Chapel Worship Center by deed recorded December 19, 1997 as Document No. 97118633 in Deed Records of said county, a distance of 679.28 feet to the southwest corner thereof;

thence North 1°58'00" East, along the west line of said Calvary Chapel Tract, a distance of 715.28 feet to the northwest corner thereof;

thence South 81°45'00" East, along the north line of said Calvary Chapel Tract, the north line of that tract of land conveyed to Antoine Habib Kanaan and Diana Gail Kanaan by deed recorded March 14, 1994 as Document No. 94024070 in Deed Records of said county, and the easterly extension thereof, a distance of 679.14 feet to a point on the east right of way line of Southwest 229th Avenue;

thence South 1°58'00" West, along said right of way line, a distance of 805.30 feet;

thence North 74°21'00" West, along the easterly projection of the south line of said Calvary Chapel Tract, a distance of 15.44 feet to the POINT OF BEGINNING.

CERTIFIED TO BE A TRUE AND CORRECT COPY OF THE ORIGINAL

Recorder, City of Hillsboro

10-8 500 JD

STEWART TITLE

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, Director of Assessment and Taxation, Ex-Officio County Clerk

Doc : 97118633
Rect: 199885 538.00
12/19/1997 02:41:37pm

AFTER RECORDING RETURN TO:
Calvary Chapel Worship Center
17575 SW TV Hwy #100
Aloha, Oregon 97006

UNTIL FURTHER NOTICE, ALL FUTURE
TAX STATEMENTS SHALL BE SENT TO:
Calvary Chapel Worship Center
17575 SW TV Hwy #100
Aloha, Oregon 97006
TAX ACCOUNT NO.: 1S210DB-00800 &01000

SAK

Stewart Title 97144073-W

STATUTORY WARRANTY DEED

Everett Lee and Lorine Zinn and Bernice Michaelis, Grantors, convey and warrant to Calvary Chapel Worship Center, a non profit corporation, Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in WASHINGTON County, Oregon, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

The said property is free from encumbrances EXCEPT: Rights of the public in and to any portion of the herein described premises lying within the boundaries of streets, roads or highways.

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.

The true consideration for this conveyance is $500,000.00, part of a 1031 Tax Deferred Exchange.

Dated this 17+18 day of December, 1997.

Everett Lee
Everett Lee

Lorine Zinn
Lorine Zinn

Bernice Michaelis
Bernice Michaelis

STATE OF OREGON

COUNTY OF WASHINGTON

On 12-17 ~~18~~, 1997 personally appeared the above named ~~Everett Lee~~ and Lorine Zinn and Bernice Michaelis and acknowledged the foregoing instrument to be their voluntary act and deed.

Sharon A Krieger
Notary Public for
STATE OF OREGON
My commission expires 7/7/01

WASHINGTON COUNTY
REAL PROPERTY TRANSFER TAX
$500.00 FEE PAID
12-19-97 DATE

OFFICIAL SEAL
SHARON A KRIEGER
NOTARY PUBLIC - OREGON
COMMISSION NO. 302337
MY COMMISSION EXPIRES JUL. 7, 2001

CERTIFIED TO BE A TRUE AND CORRECT COPY OF THE ORIGINAL

1-2

Recorder, City of Hillsboro

97118633

EXHIBIT "A"

Legal Description:

PARCEL I:

Beginning at a railroad iron at the Southeast corner of the Benjamin Stewart DLC #44 in Section 10, Township 1 South, Range 2 West, Willamette Meridian, Washington County, Oregon; thence North 1°58' East 608.3 feet to a point; thence North 81°45'30" West 251.38 feet; thence North 04°35'40" East 194.22 feet; thence North 81°45' West 421.62 feet; thence South 1°58' West 715.28 feet to the North line of Witch Hazel Little Farms; thence South 74°21' East along the Northerly line of Witch Hazel Little Farms 679.28 feet to the point of beginning. EXCEPTING THEREFROM the following described parcel: Commencing at the Southeast corner of the foregoing, and running thence North along the center line of 229th Avenue, 250 feet to a point; thence West 250 feet to a point; thence South to the South line of the above described parcel; thence East along the said South line to the point of beginning.

PARCEL II:

Beginning at a railroad iron at the Southeast corner of the Benjamin Stewart Donation Land Claim No. 44 in Section 10, Township 1 South, Range 2 West of the Willamette Meridian, in the County of Washington and State of Oregon; thence North along the center line of 229th Avenue, 250 feet to a point; thence West 250 feet to a point; thence South to the South line of the above described parcel; thence East along the said South line to the point of beginning.

STATE OF OREGON,
County of Washington } ss.

FORM No. 23—ACKNOWLEDGMENT. Stevens-Ness Law Publishing Co. Portland, OR 97204 © 1992

BE IT REMEMBERED, That on this 18 *day of* December, 19 97, *before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within named* Everett Lee

known to me to be the identical individual..... described in and who executed the within instrument and acknowledged to me that .....executed the same freely and voluntarily.

OFFICIAL SEAL
SHARON A KRIEGER
NOTARY PUBLIC - OREGON
COMMISSION NO. 302337
MY COMMISSION EXPIRES JUL. 7, 2001

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Sharon A Krieger
Notary Public for Oregon

My commission expires .....

94024070
Washington County

MAR 14 1994

STATUTORY WARRANTY DEED

ANTOIND HABIB KANAAN AND DIANA GAIL KANAAN, husband and wife
Grantor,
conveys and warrants to ANTOINE HABIB KANAAN AND DIANA GAIL KANAAN, as tenants by the antirety
Grantee,
the following described real property free of liens and encumbrances, except as specifically set forth herein:
SEE EXHIBIT "A" ATTACHED HERETO

Recorded By
First American Title Insurance Company of Oregon
No. 751314

10
10
28

This property is free of liens and encumbrances, EXCEPT:

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.

The true consideration for this conveyance is $ -0- (Here comply with the requirements of ORS 93.030)

Dated this 14 day of March 19 94.

Antoind Habib Kanaan

Diana Gail Kanaan

STATE OF OREGON
County of Washington } ss.

BE IT REMEMBERED, That on this 8th day of March, 19 94, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Antoind Habib Kanaan and Diana Gail Kanaan

known to me to be the identical individual s described in and who executed the within instrument and acknowledged to me that THEY executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

NOTARY PUBLIC STATE OF OREGON

Notary Public for Oregon.
My Commission expires 4-16-94

Title Order No. 751314
Escrow No. 94050086

THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:
Antonie H. Kanaan
3295 SW 229th
Beaverton, OR 97007
Name, Address, Zip

Until a change is requested all tax statements shall be sent to the following address.
Antonie H. Kanaan
3295 SW 229th
Beaverton, OR 97007
Name, Address, Zip

1-2

Order No. 751314

EXHIBIT "A"

PARCEL I:

Beginning at a railroad iron at the Southeast corner of the Benjamin Stewart Donation Land Claim No. 44 in Section 10, Township 1 South, Range 2 West of the Willamette Meridian, in the County of Washington and State of Oregon; thence North 01°58'00" East 803.3 feet to the point of beginning of the tract herein described; thence North 81°45'00" West 233.38 feet; thence South 01°58'00" West 195 feet; thence South 81°45'00" East 233.38 feet; thence North 01°58'00" East 195 feet to the point of beginning.

PARCEL II:

The following described portion of that tract of land in Section 10, Township 1 South, Range 2 West of the Willamette Meridian, in the County of Washington and State of Oregon, conveyed to Leslie M. Lee, et ux, by deed recorded in Book 392, page 312, Washington County, Deed Records:

Beginning at a point on the Northerly line of said Lee tract at the Northwest corner of that tract of land conveyed to Florence A. Johnson by deed recorded in Book 422, page 48, said Deed Records; and running thence North 81°45'30" West along the Northerly line of said Lee tract 9.0 feet; thence South 04°35'40" West 194.22 feet; thence South 81°45'30" East 18.0 feet to the Southwest corner of said Johnson tract; thence North 01°57'30" East along the Westerly line of said Johnson tract 195.0 feet to the point of beginning.

STATE OF OREGON
County of Washington } ss

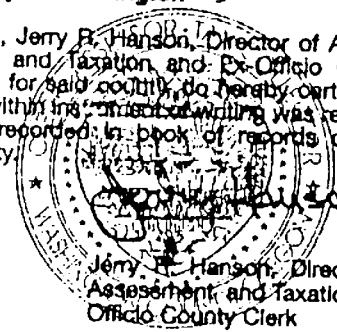
I, Jerry R. Hanson, Director of Assessment and Taxation and Ex-Officio County Clerk for said county, do hereby certify that the within instrument of writing was received and recorded in book of records of said county.

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

94 MAR 14 AM 11:20

STATE OF OREGON
County of Washington } ss

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, Director of Assessment and Taxation, Ex-Officio County Clerk

Doc : 2000087461
Rect: 265809 9267.00
10/27/2000 10:35:33am

25
6
11
9,225

After Recording Return To:
Ball, Janik LLP
Attn: Christopher M. Walters
101 SW Main Street, Suite 1100
Portland, Oregon 97204

FATCO. NO. 80955-Com

STATUTORY WARRANTY DEED

SISTERS OF ST. MARY OF OREGON, an Oregon non-profit corporation, Grantor, conveys and warrants to GLC–SOUTH HILLSBORO, LLC, a Delaware limited liability company, Grantee, the real property in Washington County, Oregon legally described on the attached Exhibit A, free of liens and encumbrances except as specifically set forth on the attached Exhibit B.

The true and actual consideration for this conveyance is Nine Million Two Hundred Twenty Four Thousand Sixty and 00/100 Dollars ($9,224,060).

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.

WASHINGTON COUNTY
REAL PROPERTY TRANSFER TAX
$ 9,225.00 10-27-00
FEE PAID DATE

DATED as of October 27, 2000.

SISTERS OF ST. MARY OF OREGON, an Oregon non-profit corporation

BY: Sister Barbara Jean Laughlin
Its President

By L. Lawdean Lamberger
Its General Treasurer

Until a change is requested, tax statements should be sent to:
c/o Newland Northwest, 11735 SW Queen Elizabeth #101, King City, OR 97224,
Attn: Mr. Doug Draper

::ODMA\PCDOCS\PORTLAND\238830\2

STATE OF OREGON)
) ss.
County of Washington)

The foregoing instrument was acknowledged before me on 10/26/00, 2000, by Sister Barbara Jean Laughlin who is the President of Sisters of St. Mary of Oregon, an Oregon non-profit corporation, on behalf of the corporation.

OFFICIAL SEAL
M J KIMBALL
NOTARY PUBLIC - OREGON
COMMISSION NO. 062411
MY COMMISSION EXPIRES MARCH 9, 2001

Notary Public for Oregon
My Commission expires 3/9/01

STATE OF OREGON)
)ss
County of Washington)

The foregoing instrument was acknowledged before me on 10/26/00 by Sister Lawdean Lamberger who is the General Treasurer of Sisters of St. Mary of Oregon, an Oregon non-profit corporation, on behalf of the corporation.

Notary Public for Oregon
My commission expires: 3/9/01

OFFICIAL SEAL
M J KIMBALL
NOTARY PUBLIC - OREGON
COMMISSION NO. 062411
MY COMMISSION EXPIRES MARCH 9, 2001

EXHIBIT A

Legal Description

Parcel 1, Partition Plat No. 1996-054, and found in Partition Book 1996, page 54 of Plat Records of the County of Washington and State of Oregon.

EXHIBIT B

Title Exceptions

1. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute an additional tax or penalty may be imposed.

2. The rights of the public in and to that portion of the premises herein described lying within the limits of Old Hillsboro Road, SW 209th Avenue and SW 229th Avenue.

3. An easement created by instrument, including the terms and provisions thereof;

Recorded	:	November 28, 1958 in Book 412, Page 52
Favor of	:	United State of America
For	:	Electric power transmission structures and appurtenant signal lines
Affects	:	Reference is made to the document for the exact location

4. Rights of the public in and to that portion of the property as disclosed by Deed of Dedication;

Recorded	:	August 20, 1973 in Book 941, Page 186

5. Restrictive Covenant to Waive Remonstrance, pertaining to Street Improvement, including the terms and provisions thereof;

Recorded	:	February 17, 1983 as Fee No. 83005683

6. An easement created by instrument, including the terms and provisions thereof;

Recorded	:	July 12, 1990 as Fee No. 90-36646
Favor of	:	Portland General Electric Company, an Oregon corporation
For	:	Anchors and guy wires
Affects	:	The Easterly portion

7. An easement created by instrument, including the terms and provisions thereof;

Recorded	:	July 6, 1993 as Fee No. 93053229
Favor of	:	Unified Sewerage Agency of Washington County
For	:	A sewer (or sewers)
Affects	:	The Northwesterly, Northerly and Easterly portions

8. Restrictive Covenant to Waive Remonstrance, pertaining to customarily (commonly) accepted farm or forestry practices, including the terms and provisions thereof;

Recorded : May 31, 1996 as Fee No. 96048893

9. Restrictions shown on the recorded plat/partition as follows: "This partition plat is subject to the conditions of approval per Washington County Department of Land Use and Transportation Case File No. 95-280-NC/P".

10. Restrictive Covenant to Waive Remonstrance, pertaining to street improvement, including the terms and provisions thereof;

Recorded : July 30, 1996 as Fee No. 96068038

11. Rights of tenants under written farm leases, if any, as previously disclosed to Grantee.

12. Any rights, interests or claims which may exist or arise by reason of the following facts shown by a survey OTAK Project No. L5551.500 dated October 11, 1994 and inspection of said land:

(a) Guy anchors along Easterly and Southerly property lines.

(b) Utility poles Southerly property line and Northerly portion.

(c) Concrete vaults along Easterly portion.

13. Liens created by Grantee, if any.

FORM No. 720 – BARGAIN AND SALE DEED (Individual or Corporate).

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5
8
20

NS

Michael C. McGough

Grantor's Name and Address

Michael C. McGough
Tracie L. McGough

Grantee's Name and Address

After recording, return to (Name, Address, Zip):
Michael and Tracie McGough
3625 SW 229th
Beaverton, Oregon 97007

Until requested otherwise, send all tax statements to (Name, Address, Zip):
Michael and Tracie McGough
3625 SW 229th
Beaverton, Oregon 97007

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON
County of Washington } ss

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, Director of Assessment and Taxation, Ex-Officio County Clerk

Doc : 98049947
Rect: 208587 33.00
05/12/1998 02:36:05pm

TRANSNATION TITLE INSURANCE W203015DE/2316882

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that Michael C. McGough, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Michael C. McGough and Tracie L. McGough, husband and wife, hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Washington County, State of Oregon, described as follows, to-wit:

Tract 65, WITCH HAZEL LITTLE FARMS, in the County of Washington and State of Oregon.

OFFICIAL SEAL
LORRAINE SHEARER
NOTARY PUBLIC - OREGON
COMMISSION NO.063149
MY COMMISSION EXPIRES APR. 16, 2000

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is $ZERO ~~However, the actual consideration consists of or includes other property or value given or promised which is [ ] part of the [ ] the whole (indicate which) consideration.~~ (The sentence between the symbols ①, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument this 7th day of May, 1998; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

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.

Michael C. McGough

STATE OF OREGON, County of Washington) ss.
This instrument was acknowledged before me on May 7, 1998,
by Michael C. McGough
~~This instrument was acknowledged before me on~~ , 19__,
by
as
of

Lorraine Shearer
Notary Public for Oregon
My commission expires 4-16-00

0009 46

EXHIBIT B

FINDINGS IN SUPPORT
CALVARY CHAPEL ANNEXATION
FILE NO. AN 6-03

I. BACKGROUND INFORMATION AND SITE DESCRIPTION

Three petitioners representing two properties requested City Council approval for annexation of approximately 10.2 acres into the City Limits of Hillsboro.

The properties under consideration is located generally north of SW Davis Road, west of SW 229th Avenue, south of Tualatin Valley Highway, and east of SW 234th Avenue. The properties can be specifically identified as Tax Lots 900 and 1000 on Washington County Tax Assessor's Map 1S2-10DB. The total assessed value of the properties is $1,045,090.

The properties have a gradual downward slope to the south and there is no significant vegetation on the site. Tax Lot 900 has a single-family house addressed at 3295 SW 299th Avenue. Tax Lot 1000 is partially developed with a church on the northern portion of the site addressed at 6550 SE Alexander Street.

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 August 5, 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.

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 properties were included within an expansion of the Urban Growth Boundary that was approved on December 2, 2002 as Ordinance 02-969B. On June 26, 2003 the Metro Council voted to amend the Metro jurisdictional boundary to include a 40.16 acre parcel which included the properties being annexed.

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 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 (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 does not have a current plan designation for the property, however, the applicant is intending to apply for a IN – Industrial Comprehensive Plan Designation subsequent to approval of the annexation. An Industrial Plan Designation is consistent with the regional urban growth goals and objectives. Following completion of the comprehensive plan change the applicant will be requesting a zone change to M-P Industrial Park which is consistent with the comprehensive plan map.

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 a ten-inch City line located in the SE Alexander Street right-of-way. Sanitary sewer is available through a ten-inch City line located in the SE Alexander Street right-of-way. Storm water disposal is available through an eighteen-inch City line adjacent to the SE Alexander Street right-of-way.

Fire and police protection would be provided by the City of Hillsboro and the property would be withdrawn from the Washington County Rural Fire Protection District No. 2; 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 Washington County Rural Fire Protection District No. 2; 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.

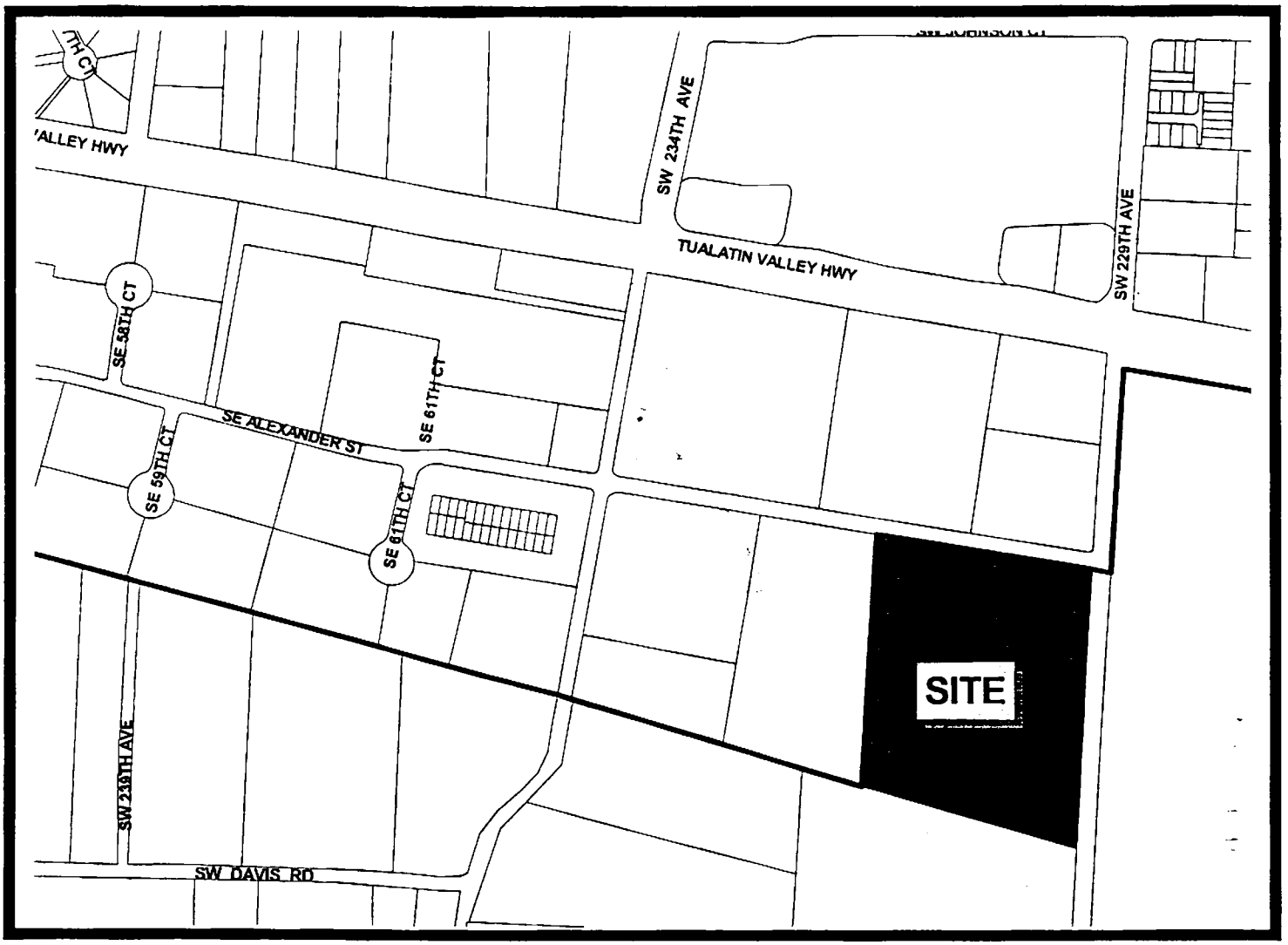
IV. TESTIMONY FROM NECESSARY PARTIES

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 July 22nd, 2003

AN 6-03: Calvary Church



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Site

Hillsboro City Limits

CITY OF
HILLSBORO

PLANNING DEPARTMENT (503) 681-6153

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