

Final Documents

For

Annexation to the  
**City of Hillsboro**

WA5002  
Annexation: AN-8-02  
Ordinance: #5197  
DOR: 34-1584-2002  
AN-2002-0235

Final to DOR: \_\_\_\_\_

Signature:

 \_\_\_\_\_

Date of

Mailing: 10/10/02

Final to Secretary of State: \_\_\_\_\_

Signature:

 \_\_\_\_\_

Date of

Mailing: 10/22/02

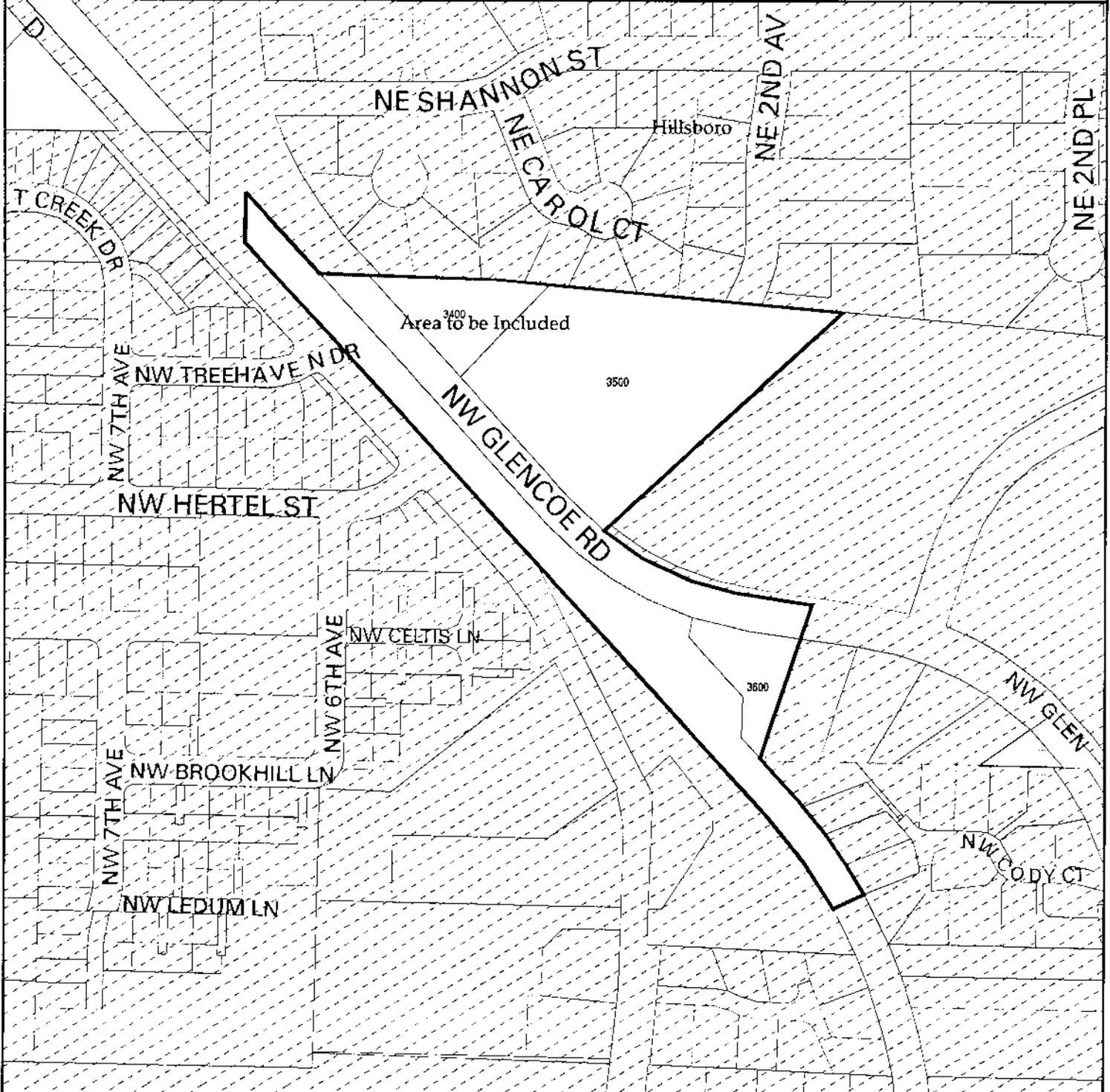


# Proposal No. WA5002

1N3W25

Annexation to the City of Hillsboro

Washington Co.



REGIONAL LAND INFORMATION SYSTEM



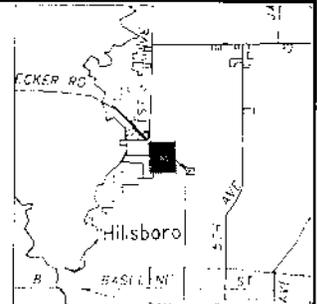
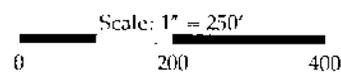
800 NE Grand Ave.  
Portland, OR 97232-2736  
Voice 503 797-1742  
FAX 503 797-1809  
Email [dir@metro-region.org](mailto:dir@metro-region.org)

**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 suitability 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. WA5002  
CITY OF HILLSBORO  
Figure 1



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

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January 14, 2003

Metro  
Att. Bob Knight  
600 NE Grand Ave  
Portland, OR 97232-2736

Dear Sir or Madam:

Please be advised that we have received and filed on December 26, 2002 the following Annexation(s).

Ordinance(s):	City of:	Our File Number(s):
5196	Hillsboro	AN 2002-0234
5197	Hillsboro	AN 2002-0235
5198	Hillsboro	AN 2002-0236

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:

Washington County  
ODOT/Highway Dept  
PSU/Population ResearchCtr.  
Revenue Cartography Section

# Notice to Taxing Districts

ORS 308.225



Cartographic Unit  
PO Box 14380  
Salem, OR 97309-5075  
(503) 945-8297, fax 945-8737

City of Hillsboro  
City Manager  
123 W. Main St.  
Hillsboro, OR 97123

**Description and Map Approved**  
**October 21, 2002**  
**As Per ORS 308.225**

Description     Map received from: METRO  
On: 10/15/2002

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

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

ORD. #5197

has been:     Approved            10/21/2002  
                   Disapproved

Notes:

Department of Revenue File Number: 34-1584-2002

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

ORDINANCE NO. 5197  
AN 8-02: STONE

CERTIFIED TO BE A TRUE  
CORRECT COPY OF THE ORIGINAL  
*Paul Washburn*  
Recorder, City of Hillsboro

AN ORDINANCE ANNEXING CERTAIN TRACTS OF LAND INTO THE CITY LIMITS OF HILLSBORO, WITHDRAWING THE TRACTS 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 certain tracts of land, described in Exhibit A to this ordinance, requesting that the properties 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 are located within Urban Planning Area A of the Urban Planning Area Agreement between Washington County and the City of Hillsboro, adopted on December 15, 1998;

WHEREAS, the Urban Planning Area Agreement specifies that all land in Urban Planning Area A shall annex to the City prior to development;

WHEREAS, the tracts of land lie 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, delay in the effective date of the annexation could cause inconvenience and additional financial cost to the property owner and unnecessary delay in the provision of City services;

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

WHEREAS, the City Council conducted a public hearing on this matter on October 1, 2002, 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, are declared to be annexed to the City of Hillsboro, Oregon.

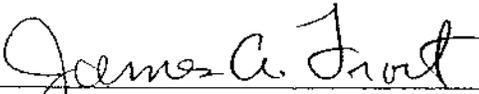
Section 2. The tracts of land annexed by this ordinance and described in Section 1 are withdrawn from the following districts upon the effective date of the annexation: Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; Washington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

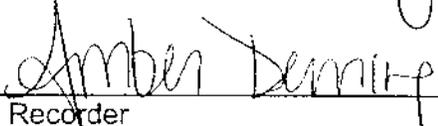
Section 3. The findings attached as Exhibit B are adopted. The City Recorder shall immediately file a certified copy of this Ordinance with Metro and other agencies required by Metro Code Chapter 3.09.050(f) and ORS 222.005. The annexation and withdrawals shall become effective upon filing of the annexation 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 owners 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 1<sup>st</sup> day of October, 2002.

Approved by the Mayor this 1<sup>st</sup> day of October, 2002.

  
\_\_\_\_\_  
Mayor

ATTEST:   
\_\_\_\_\_  
City Recorder

City of Hillsboro  
Annex 8-02: Stone  
Proposed legal description  
NS, August 1, 2002, revised Aug. 15, 2002 MF

## Exhibit 'A'

A tract of land in Section 25, Township 1 North, Range 3 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

Beginning at the northwest corner of the Isaiah Kelsey Donation Land Claim No. 57, said point being also the northeast corner of the Ralph Wilcox Donation Land Claim No. 69;

thence North  $88^{\circ}43'00''$  West, along the north boundary of said Wilcox D.L.C., a distance of 266.08 feet to a point in the centerline of NW Glenco Road (C.R. 1101);

thence South  $42^{\circ}27'00''$  East, along said centerline, a distance of 556.5 feet to a point of curvature therein;

thence, tracing said centerline, along a 573 foot radius curve to the left, with a central angle of  $39^{\circ}21'$ , an arc distance of 393.53 feet (the chord of which bears South  $62^{\circ}10'30''$  East, 385.84 feet) to a point of tangency;

thence South  $81^{\circ}51'00''$  East, along said centerline, a distance of 95.59 feet to a point on the northeasterly projection of the west boundary of a tract of land described in deed to Joseph B. Petraitis, recorded 02/10/1998 as Document Number 98012378 in deed records of said county;

thence North  $18^{\circ}51'00''$  East, along said northeasterly projection, a distance of 30.53 feet;

thence North  $81^{\circ}51'00''$  West, parallel with the centerline of said road, a distance of 101.86 feet to a point of curvature;

thence, continuing parallel with said centerline, along the arc of a 543 foot radius curve to the right, with a central angle  $30^{\circ}52'41''$ , an arc distance of 292.64 feet (the chord of which bears North  $66^{\circ}24'40''$  West, 289.11 feet) to a point on the southeast boundary of that tract of land described in deed to the Wilma Stone Family Trust, recorded 03/01/1991 as Document Number 91010249, in Deed Records of said county;

thence North  $47^{\circ}33'00''$  East, along said southeast boundary, a distance of 569.64 feet to a point on the north boundary of said Kelsey D.L.C.;

thence North  $84^{\circ}51'00''$  West, along said north boundary, a distance of 613.0 feet to the place of beginning.

500  
500  
500  
2000

91010249  
Washington County

BARGAIN AND SALE DEED--STATUTORY FORM  
Individual Grantor

MAR 1 1991

L. CEPHES STONE AND WILMA E. STONE, Grantor,  
conveys to THE WILMA STONE FAMILY TRUST, Grantee,

the following real property situated in WASHINGTON County, Oregon, to-wit:  
Beginning at the iron at the Northwest corner of the Isaiab Kelsey D.L.C. #57 Township 1 North, Range 3 West of the Willamette Meridian, Washington County, Oregon, the same being the Northeast corner of the Ralph Wilcox D.L.C. #69, running thence along the north line of the said Wilcox Claim North 88 deg. 43' West 307.6 feet to an iron pipe on the Easterly boundary of the P.R. & N. Railway right of way; thence along said right of way boundary South 42 deg. 27' East 665.2 feet to an iron pipe; thence on a line at right angles to said right of way boundary North 47 deg. 33' East 635.6 feet to an iron pipe on the North line of said Kelsey D.L.C. #57; thence along the north line of said Kelsey Claim North 84 deg. 51' West 613.0 feet to the place of beginning, containing 5 acres.

County of WASHINGTON, and State of Oregon  
Also known as the property located at:  
2270 N.W. GLENCOE ROAD, HILLSBORO, OREGON

The true consideration for this conveyance is \$1.00  
Dated this 1st day of March, 1991.

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.

Wilma E. Stone  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF OREGON, County of WASHINGTON) ss.  
Personally appeared the above named L. CEPHES STONE AND WILMA E. STONE,  
and acknowledged the foregoing instrument to be THEIR voluntary act and deed.

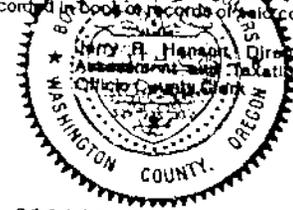
Before me: Patty Clark  
Notary Public for Oregon  
My commission expires: 9-11-93

BARGAIN AND SALE DEED	
Grantor	
Grantee	
Grantee's Address, Zip	
After recording return to:	
<u>Wilma Stone</u>	
<u>2270 N.W. Glencoe Rd.</u>	
<u>Hillsboro, Or. 97124</u>	
Name, Address, Zip	
Until a change is requested, all tax statements shall be sent to	
<u>Same as above</u>	
Name, Address, Zip	

SPACE  
RESERVED  
FOR  
RECORDER'S  
USE

STATE OF OREGON } 88  
County of Washington

I, Jerry R. Hanson, Director of Assessment and Taxation and Office Recorder of Conveyances for said county, do hereby certify that the within instrument or writing was received and recorded in Book of records of said county.

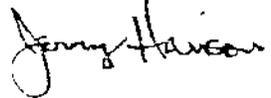


Doc : 91010249  
Rect: 50105 33.00  
03/01/1991 03:32:41PM

By \_\_\_\_\_ Deputy

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 : 98012378  
Rect: 202804 168.00  
02/19/1998 03:38:03pm

1-3

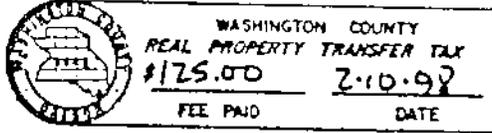
7750

WARRANTY DEED - STATUTORY FORM  
Individual/Corporate

Escrow Number: 2316196

Jeffrey A. Eddington  
Grantor, conveys and warrants to  
Joseph B. Petraitis  
Grantee, the following described real property free of encumbrances except as  
specifically set forth herein situated in Washington County, Oregon:

See Attached Legal Description Exhibit "A".



The above described property is free from encumbrances except covenants, conditions, restrictions, rights of way, easements and reservations now of record.

The true and actual consideration for this conveyance is \$124,900.00

Dated this 7th day of February, 1998 ; if this deed is given by a corporate grantor, its name is signed by its authorized officers by authority of the Board of Directors.

*Jeffrey A. Eddington*  
Jeffrey A. Eddington

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.

STATE OF OREGON, County of  
Personally appeared Jeffrey A. Eddington

Tax  
STATE OF OREGON, County of Tarrant  
Personally appeared Jeffrey A. Eddington

who, being duly sworn, each for himself and not one for the other, did say that the former is the \_\_\_\_\_ prox. & that the latter is the \_\_\_\_\_ secretary of \_\_\_\_\_

and acknowledged the foregoing instrument to be his voluntary act and deed.

and that this instrument was signed on behalf of <sup>himself</sup> the corporation and is acknowledged to be his voluntary act and deed.

Before me: February 7, 1998

Notary Public for Oregon  
My commission expires:

*Michael Thomas Benoit*  
Michael Thomas Benoit, Notary Public in and for the State of Oregon  
Commission Expires 12-08-1998  
My commission expires: 2-7-98

After recording return to:

Mr. Joseph Petraitis  
2175 NW Glencoe Road  
Hillsboro, OR 97124

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

Mr. Joseph Petraitis  
2175 NW Glencoe Road  
Hillsboro, OR 97124

STATE OF OREGON

County of \_\_\_\_\_  
I certify that the within instrument was received for record on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in book/real 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.

BY \_\_\_\_\_ NAME \_\_\_\_\_ TITLE \_\_\_\_\_ Deputy

2

FEB 10 1998

TRANSACTION TITLE INSURANCE 1189153/2316196

EXHIBIT "A"

DESCRIPTION:

A tract of land situated in the City of Hillsboro, County of Washington and State of Oregon, described as follows:

Being a portion of that tract of land in Section 25, Township 1 North, Range 3 West of the Willamette Meridian conveyed to Myrtle L. Cable, by deed as recorded at Page 101 of Volume 262, of Washington County Deed Records, and more particularly described as follows:

Beginning at an iron at the Northwest corner of that tract of land conveyed to Arthur Jesse by deed as recorded at Page 267 of Volume 164, of said Deed Records, which point is on the Easterly boundary of the P.R. and N.R.R. right of way, and is said to bear North 108.7 feet, North 89°00' West 778.1 feet, and North 40°45' West 171.8 feet from the Southeast corner of said Section 25; thence from the point of beginning, South 89°00' East along the North line of said Jesse Tract 100.0 feet to an iron pipe at the Southwest corner of that tract of land conveyed to Ray Lowman by deed as recorded on Page 597 of Volume 200 of said Deed Records; thence North 18°51' East along the Westerly line of said Lowman Tract, 212.2 feet to an iron pipe at the Northwesterly corner thereof, on the Southerly line of County Road No. 1101; thence North 81°51' West along the Southerly line of said County Road, 101.6 feet to an iron pipe; thence South 18°51' West parallel with the Westerly line of said Lowman Tract 221.1 feet to an iron pipe on the Easterly boundary of said RR right of way; thence following the Easterly boundary of said RR right of way, on a curve to the right, (the long chord of which curve bears South 38°20' East 5.4 feet) a distance of 5.5 feet to the point of beginning.

November 05, 1997

2

W189515E

3

## EXHIBIT B

### FINDINGS IN SUPPORT CITY OF HILLSBORO ANNEXATION FILE NO. AN 8-02

#### I. BACKGROUND INFORMATION AND SITE DESCRIPTION

One petitioner representing two properties requested City Council approval for annexation of approximately 4.12 acres into the City limits of Hillsboro. The annexation also includes approximately 0.70 acres of street right-of-way located adjacent to, and south of, the site.

The properties under consideration are located generally south of NE Carole Court, north and east of NW Glencoe Road, and west of NE Harewood Street. The properties can be specifically identified as Tax Lots 3400 and 3500 on Washington County Tax Assessor's Map 1N3-25DD. The total assessed value of the properties is \$623,630. The right-of-way is a portion of NW Glencoe Road, northwest of NE Harewood Street and south of NE Shannon Street.

The properties slope downward to the southeast of the site toward Glencoe Creek. Two single family houses, addressed at 2270 and 2360 NW Glencoe Road, are located on the properties.

#### 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 October 1, 2002.

#### 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 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 are 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 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 Policy (III)(F), assisting property owners with the annexation process; Section 2. Urbanization Implementation Measure (IV)(A)(5), supporting the annexation of infill areas; and Section 2. Urbanization Implementation Measure (F), all land in the Hillsboro Planning Area is assumed to be available for annexation.

- 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 properties is RL Low Density Residential which is consistent with the regional urban growth goals and objectives. The properties will be rezoned to R-7 Single Residential pursuant to Section 97 of Hillsboro Zoning Ordinance No. 1945, unless the property owner requests R-8.5 or R-10 zoning.

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

**FINDING:** Water is available to the property from an existing 12-inch water line located in the NE Second Avenue right-of-way. Sanitary sewer is available through an eight-inch City line also located in NE Second Avenue. Storm water disposal is available via ditches within the NW Glencoe Road right-of-way.

Fire and police protection would be provided by the City of Hillsboro and the properties would be withdrawn from the following districts as of 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  
Washington County Service District #1 for Street Lights

Annexation of the subject properties 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 has determined that withdrawal of the properties from the following districts is in the best interest of the City:

Washington County Rural Fire Protection District No. 2  
Washington County Service District for Enhanced Law Enforcement  
Washington County Service District for Urban Road Maintenance  
Washington County Service District #1 for Street Lights

#### **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 September 16, 2002