

Final Documents

For

Annexation to the
City of Hillsboro

WA5203
Ord. #5308
DOR 34-1639-2003
Sec. State: AN-2003-0222

Final to DOR: _____

Signature:

Date of

Mailing: 10/20/03

Final to Secretary of State: _____

Signature:

Date of

Mailing: 10/29/03

WA5203

Sent

Received

DOR:

10/20/03

10/28/03

Sec. State:

10/29/03

11/10/03

Assessor:

10/29/03

Elections:

10/29/03

Mapped:

Yes

Addresses:

1N325AB02000

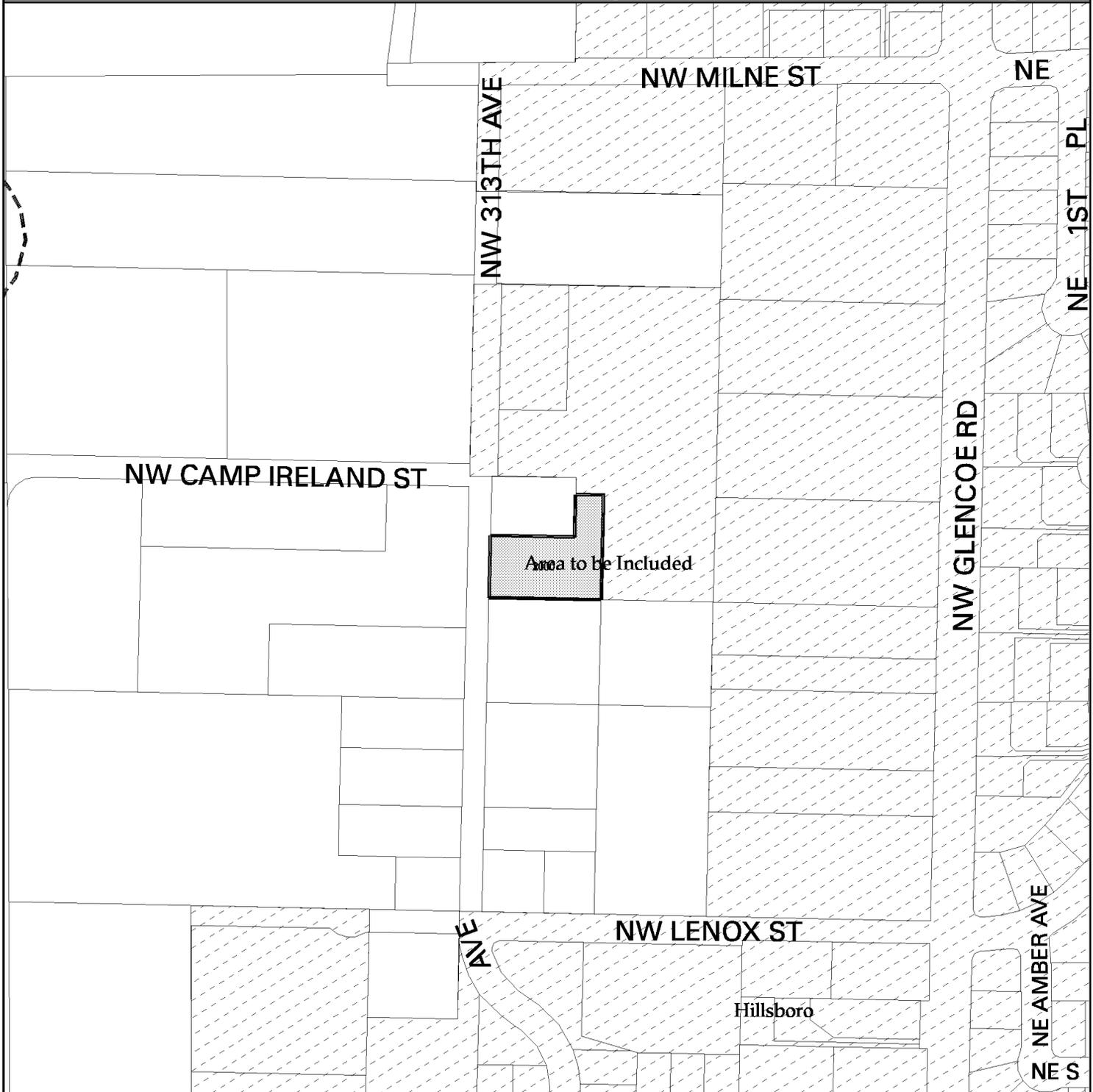
No Site Address

Proposal No. WA5203

1N3W25

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

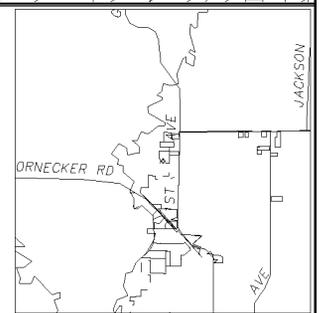
City

Annexation boundary

Urban Growth Boundary

Proposal No. WA5203
CITY OF HILLSBORO
Figure 1

Scale: 1" = 250'



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 28, 2003
As Per ORS 308.225

Description Map received from: METRO
On: 10/21/2003

This is to notify you that your boundary change in Washington County for
ANNEX TO THE CITY OF HILLSBORO & WITHDRAWAL FROM SEVERAL DIST.

ORD. #5308

has been: Approved 10/28/2003
 Disapproved

Notes:

Department of Revenue File Number: 34-1639-2003

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



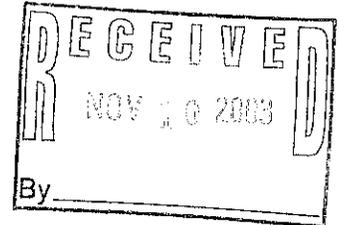
Archives Division
ROY TURNBAUGH
Director

800 Summer Street NE
Salem, Oregon 97310
(503) 373-0701

Facsimile (503) 373-0953

November 7, 2003

Metro
600 NE Grand Ave
Portland, OR 97232-2736



Dear Mr. Knight:

Please be advised that we have received and filed on October 30, 2003 the following Annexation(s).

Ordinance(s):	Jurisdiction:	Our File Number(s):
2003-105	Clackamas Co. Service District #1	SD 2003-0127
03-99	Clean Water Services District	SD 2003-0128
2003-08	City of Forest Grove	AN 2003-0220
1148-03	City of Tualatin	AN 2003-0221
5308	City of Hillsboro	AN 2003-0222
5309	City of Hillsboro	AN 2003-0223

Determination of the effective date for all the above Final Order(s) 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,

Official Public Documents

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

ORDINANCE NO. 5308
AN 10-03: MACK

CERTIFIED TO BE A TRUE AND
CORRECT COPY OF THE ORIGINAL
[Signature]
Recorder, City of Hillsboro

AN ORDINANCE ANNEXING A CERTAIN TRACT 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 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 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 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 October 7, 2003, 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 October, 2003.

Approved by the Mayor this 7th day of October, 2003.

Mayor

ATTEST: Jail Weibel
City Recorder

City of Hillsboro
Annex 10-03: Mack
Proposed legal description
NS, July 25, 2003

Exhibit 'A'

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

Commencing at the northwest corner of Lot 14, Milne Acres, a duly recorded subdivision in said county, said point being also the northwest corner of that tract of land conveyed to Richard and Irma Mack by deed recorded March 4, 1949 in Book 293, Page 224 in Deed Records of said county;

thence North 89°52'00" East, along the north line of the aforementioned Mack Tract, a distance of 150.0 feet to the northeast corner thereof and the TRUE POINT OF BEGINNING;

thence south along the east line of said Mack Tract, a distance of 75.0 feet to the southeast corner thereof;

thence South 89°52'00" West, along the south line of said Mack Tract and the westerly projection thereof, a distance of 190.0 feet to a point on the west right of way line of Northwest 313th Avenue;

thence South along said right of way line a distance of 109.46 feet;

thence North 89°52'00" East, along the westerly projection of the south line of that tract of land conveyed to Irma, Richard, and Linda Mack by deed recorded April 2, 2002 as Document No. 2002-038252 in Deed Records of said county, hereafter referred to as "Mack Tract 2", a distance of 40.0 feet to the southwest corner of said tract;

thence continuing North 89°52'00" East, along the south line of said Mack Tract 2, a distance of 200.0 feet to the northwest corner of that tract of land conveyed to James and Ruth Wood by deed recorded January 23, 1959 in Book 413, Page 621 in Deed Records of said county;

thence North along the east line of said Mack Tract 2, a distance of 184.46 feet to the northeast corner thereof;

thence South 89°52'00" West, along the most northerly north line of said Mack Tract 2, a distance of 50.0 feet to the POINT OF BEGINNING.

3407 KNOW ALL MEN BY THESE PRESENTS, That E. C. Wood and Priscilla Wood, husband and wife, E. C. Wood being also known as Elzie C. Wood, grantor S in consideration of Ten and no/100 (\$10.00) Dollars, to US paid by James Wood and Ruth Wood, husband and wife, do hereby grant, bargain, sell and convey unto the said grantee S, their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Washington and State of Oregon, bounded and described as follows, to-wit:

Beginning at the southeast corner of lot 14, Milne Acres, and running thence west along the south line of said lot 200 feet to a point; thence north parallel with the east line of said lot 184.46 feet; thence east parallel with the south line of said lot 200 feet to the east line of said lot; thence south along the east line of said lot 184.46 feet to the place of beginning. Also the right of ingress and egress over the following described tract: Beginning at a point which is 200 feet west and 184.46 feet north of the southeast corner of said lot 14, Milne Acres, said point also being the northwest corner of the tract above described; running thence west parallel with the south line of said lot 14 to the west line of said lot 14; thence south along the west line of said lot 14 a distance of 10 feet; thence east parallel with the south line of said lot a distance of 200 feet to a point and on the west line of the tract above described; thence north along the west line of the tract above described to the place of beginning. Consideration less than \$100.00. No revenue stamps required.

To Have and to Hold the above described and granted premises unto the said grantee S, their heirs and assigns forever. And we the grantor S do covenant that we are lawfully seized in fee simple of the above granted premises free from all encumbrances.

and that we will and our heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever. Witness our hand and seal this 19th day of January 1959

Elzie C Wood (SEAL) Priscilla Wood (SEAL)

STATE OF OREGON, Washington } as.



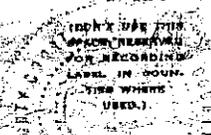
On this 20th day of January, 1959, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the said E. C. Wood and Priscilla Wood who are known to me to be the identical individuals described in and who executed the within instrument, and acknowledged to me that 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 writtten.

Notary Public for Oregon. My commission expires Dec 19, 1959

WARRANTY DEED

INDEXED 3407 DOCKET No.

TO James Wood et al 20/100 C Hillbaker, Oregon AFTER RECORDING RETURN TO



STATE OF OREGON, Washington } as.

I certify that the within instrument was received for record on the 21 day of Jan, 1959, at 10:00 o'clock A.M., and recorded in book 412 on page Record of Deeds of said County.

Witness my hand and seal of County affixed. ROGER THOMSSON, County Clerk

County Clerk - Receiver

100
KNOW ALL MEN BY THESE PRESENTS, That E.C. Wood, husband and wife

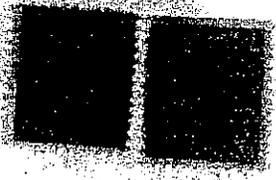
in consideration of Ten dollars and other valuable considerations

to us paid by Richard Mack and Irma Mack, husband and wife

do hereby grant, bargain, sell and convey unto the said grantees, as tenants by the entirety and not as tenants in community property, their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Washington and State of Oregon, bounded and described as follows, to-wit:

A part of TRACT NO. 14, MILNE ACRES, as shown on the duly recorded map and plat thereof and recorded at page 125 in book 244 Washington County Records of Deeds.

Beginning at the northwest corner of Lot 14, thence east along the north line of said lot 150 feet to a point; thence south parallel with the north line of said lot 75 feet to a point; thence west parallel with the north line 150 feet to the west line; thence north 75 feet to the place of beginning.



To Have and to Hold the above described and granted premises unto the said grantees as tenants by the entirety, their heirs and assigns forever.

And the grantor do covenant that they are lawfully seized in fee simple of the above granted premises free from all incumbrances,

and that they will and their heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness Our hand and seal this 4th day of March, 1949

E.C. Wood (SEAL)
Priscilla Wood (SEAL)

STATE OF OREGON, ss. County of Washington. On this 4th day of March, 1949, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named E.C. Wood and Priscilla Wood, husband and wife.

who are known to me to be the identical individual 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 seal the day and year last above written.

Laura E. Curran
Notary Public for Oregon.
My commission expires Nov. 15, 1952.

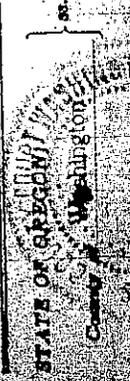
INDEXED

WARRANTY DEED

Form No. 110

E.C. Wood et ux

to
Richard Mack et ux



I certify that the within instrument was duly recorded on the 4th day of March, 1949, at 3:50 o'clock P.M. and is indexed in book 244, page 125, Record of Deeds of said County.

WITNESS my hand and seal of County Office

W. A. Tupper

County Clerk - Roseburg

Edith Stewart
Deputy

RECORDED - SEE LAW AND CO. POSTAL

Richard Mack
Rt 3 - Heintzboro - Ore

754 10637



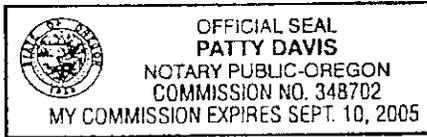
2002-38252

CERTIFICATE OF ACKNOWLEDGMENT OF NOTARY PUBLIC

State of Oregon)
County of Washington) ss.

This instrument was acknowledged before me on March 19, 2002, by Ronnie L. Mack.

On 3/19/02, before me, a Notary Public for the State of Oregon, duly commissioned and sworn, personally appeared Ronnie L. Mack, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument and acknowledged that he executed it.



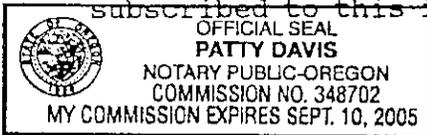
Patty Davis
Notary Public for Oregon
My Commission Expires: 9-10-2005

CERTIFICATE OF ACKNOWLEDGMENT OF NOTARY PUBLIC

State of Oregon)
County of Washington) ss.

This instrument was acknowledged before me on March 19, 2002, by Larry J. Mack.

On 3-19-02, before me, a Notary Public for the State of Oregon, duly commissioned and sworn, personally appeared Larry J. Mack, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument and acknowledged that he executed it.



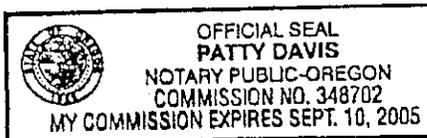
Patty Davis
Notary Public for Oregon
My Commission Expires: 9-10-2005

CERTIFICATE OF ACKNOWLEDGMENT OF NOTARY PUBLIC

State of Oregon)
County of Washington) ss.

This instrument was acknowledged before me on March 19, 2002, by Richard C. Mack.

On 3-19-02, before me, a Notary Public for the State of Oregon, duly commissioned and sworn, personally appeared Richard C. Mack, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument and acknowledged that he executed it.



Patty Davis
Notary Public for Oregon
My Commission Expires: 9-10-2005

Grantor's Name and Address
 Irma Mack, Ronnie L. Mack,
 Larry J. Mack & Richard C. Mack
 3660 NW 313th Avenue
 Hillsboro, OR 97124

Grantor's Name and Address
 Irma Mack, Richard C. Mack
 and Linda C. Mack
 3660 NW 313th Avenue
 Hillsboro, OR 97124

After recording, return to (Name, Address, Zip):
 Irma Mack
 3660 NW 313th Avenue
 Hillsboro, OR 97124

Until requested otherwise, send all tax statements to (Name, Address, Zip):
 Irma Mack
 3660 NW 313th Avenue
 Hillsboro, OR 97124

Washington County, Oregon
 04/02/2002 01:03:47 PM
 D-DB# Cnt=1 Bln=22 RECORD#1
 \$10.00 \$8.00 \$11.00 - Total=\$27.00

2002-038252

00078851200200382520020028

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

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

WITNESS MY HAND AND SEAL



SPACE RESERVED FOR RECORDER'S USE

NAME TITLE
 By _____, Deputy.

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that Irma Mack, Ronnie L. Mack, Larry J. Mack, and Richard C. Mack, Joint Tenants hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Irma Mack, Richard C. Mack and Linda C. Mack, Joint Tenancy 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:

A part of Tract No. 14, Milne Acres, as shown on the map and plat thereof, as follows:

Commencing at a point on the North line of said Tract No. 14, 200 feet West of the Northeast corner thereof, and running thence West along the North line to the Northwest corner of said Tract No. 14; thence South along the West line of said Tract No. 14 184.46 feet; thence East on a line parallel to the North line of said Tract No. 14 to the Northwest corner of a tract conveyed to James Wood et ux in a deed recorded in Book 413, Page 621, Records of Washington County, Oregon; thence North on a line parallel to the West line of said Tract No. 14 to the place of beginning.

Excepting therefrom that tract previously conveyed to the grantees herein by a deed recorded in Book 293, Page 224, said deed records.

(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 \$ 00

The sentence between the symbols @, 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 on March 19 - 2002; 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.

X Irma Mack X Ronnie L. Mack
 Irma Mack Ronnie L. Mack
 X Larry J. Mack
 Larry J. Mack
 X Richard C. Mack
 Richard C. Mack

STATE OF OREGON, County of Washington) ss.
 This instrument was acknowledged before me on March 19, 2002
 by Irma Mack
 This instrument was acknowledged before me on _____
 by _____
 as _____
 of _____



Patty Davis
 Notary Public for Oregon
 My commission expires 9-10-2005

NN
 Irma Mack, Ronnie L. Mack,
 Larry J. Mack & Richard C. Mack
 3660 NW 313th Avenue
 Hillsboro, OR 97124
Grantor's Name and Address
 Irma Mack, Ronnie L. Mack and
 Larry J. Mack
 3660 NW 313th Avenue
 Hillsboro, OR 97124
Grantee's Name and Address
 After recording, return to (Name, Address, Zip):
 Irma Mack
 3660 NW 313th Avenue
 Hillsboro, OR 97124
 Until requested otherwise, send all tax statements to (Name, Address, Zip):
 Irma Mack
 3660 NW 313th Avenue
 Hillsboro, OR 97124

Washington County, Oregon
 04/02/2002 01:07:47 PM
 2002-038255
 D-DB# Cnt#1 Bln#22 RECORD#1
 \$10.00 \$6.00 \$11.00 - Total=\$27.00



00076886200200382560020026
 I, Jerry Hanson, Director of Assessment and Taxation
 and Ex-Officio County Clerk for Washington County,
 do hereby certify that the within instrument of writing
 was received and recorded in the book of records of
 said county.



SPACE RESERVED
 FOR
 RECORDER'S USE

Jerry R. Hanson, Director of Assessment and Taxation,
 Ex-Officio County Clerk
 WITNESS my hand and seal of office, _____ed.

_____ NAME _____ TITLE
 By _____, Deputy.

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that Irma Mack, Ronnie L. Mack, Larry J. Mack,
and Richard C. Mack, Joint Tenants
 hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto
Irma Mack, Ronnie L. Mack, and Larry J. Mack, Joint Tenancy
 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:

A part of TRACT NO. 14, MILNE ACRES, as shown on the duly recorded map and plat thereof and recorded at page 125 in book 244 Washington County Records of Deeds.

Beginning at the northwest corner of lot 14, thence east along the north line of said lot 150 feet to a point; thence south parallel with the north line of said lot 75 feet to a point; thence west parallel with the north line 150 feet to the west line; thence north 75 feet to the place of beginning.

(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 \$ 00

(The sentence between the symbols ©, 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.

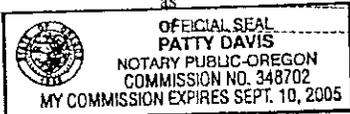
IN WITNESS WHEREOF, the grantor has executed this instrument on March 19 - 2002; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

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.

X Irma Mack Ronnie L. Mack
 Irma Mack Ronnie L. Mack
 X Larry J. Mack
 Larry J. Mack
 X Richard C. Mack
 Richard C. Mack

STATE OF OREGON, County of Washington ss.
 This instrument was acknowledged before me on March 19, 2002,
 by Irma Mack

This instrument was acknowledged before me on _____,
 by _____,
 as _____



Patty Davis
 Notary Public for Oregon
 My commission expires 9-10-2005



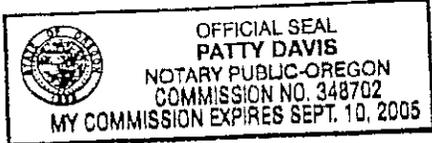
2002-38255

CERTIFICATE OF ACKNOWLEDGMENT OF NOTARY PUBLIC

State of Oregon)
County of Washington) ss.

This instrument was acknowledged before me on March 19, 2002, by Ronnie L. Mack.

On 3/19/02, before me, a Notary Public for the State of Oregon, duly commissioned and sworn, personally appeared Ronnie L. Mack, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument and acknowledged that he executed it.



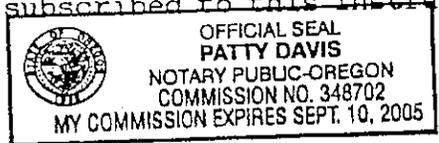
Patty Davis
Notary Public for Oregon
My Commission Expires: 9-10-2005

CERTIFICATE OF ACKNOWLEDGMENT OF NOTARY PUBLIC

State of Oregon)
County of Washington) ss.

This instrument was acknowledged before me on March 19, 2002, by Larry J. Mack.

On 3-19-02, before me, a Notary Public for the State of Oregon, duly commissioned and sworn, personally appeared Larry J. Mack, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument and acknowledged that he executed it.



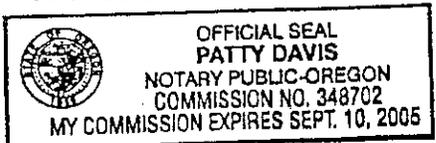
Patty Davis
Notary Public for Oregon
My Commission Expires: 9-10-2005

CERTIFICATE OF ACKNOWLEDGMENT OF NOTARY PUBLIC

State of Oregon)
County of Washington) ss.

This instrument was acknowledged before me on March 19, 2002, by Richard C. Mack.

On 3/19/02, before me, a Notary Public for the State of Oregon, duly commissioned and sworn, personally appeared Richard C. Mack, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument and acknowledged that he executed it.



Patty Davis
Notary Public for Oregon
My Commission Expires: 9-10-2005

EXHIBIT B

FINDINGS IN SUPPORT MACK ANNEXATION FILE NO. AN 10-03

I. BACKGROUND INFORMATION AND SITE DESCRIPTION

Petitioners representing one property requested City Council approval for annexation of approximately 0.59 acres into the City Limits of Hillsboro.

The property under consideration is located generally north of NW Lenox Street, south of NW Camp Ireland Road, west of NE Glencoe Road and east of NW 313th Avenue. The property can be specifically identified as Tax Lot 2000 on Washington County Tax Assessor's Map 1N3-25AB. The total assessed value of the property is \$53,400.

The property has a slight downward slope to the northwest with significant trees on the eastern edge of the property. Tax Lot 2000 is vacant.

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 7, 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 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 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'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 will be rezoned to R-7 Single Family Residential pursuant to Section 97 of Hillsboro Zoning Ordinance No. 1945, unless the property owners apply for a different zoning designation.

- 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 eight-inch City line located in the NW 313th Avenue right-of-way. Sanitary sewer is available through a ten-inch City line located in the NW 313th Avenue right-of-way. Storm water disposal is available through a fifteen-inch City line located in the NW 313th Avenue 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 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 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 September 22, 2003