

Final Documents

For

Annexation to the  
**City of Hillsboro**

WA5206

Ordinance #5656

DOR 34-1822-2006

Sec State AN 2006-0299

Property Information:

1N2-34AC Tax Lot 800

23060 NW Birch Street



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October 23, 2006

Metro  
Robert Knight  
600 NE Grand Ave  
Portland, Oregon 97232-2736

Dear Mr. Knight:

Please be advised that we have received and filed, as of October 23, 2006, the following records annexing territory to the following:

Ordinance/Resolution Number(s)		Our File Number
5672	(City of Hillsboro)	AN 2006-0296
2006-12	(City of Forest Grove)	AN 2006-0297
2006-050	(City of Sherwood)	AN 2006-0298
5656	(City of Hillsboro)	AN 2006-0299
2006-397	(Sunrise Water Authority)	SD 2006-0121

For your records please verify the effective date through the application of ORS 199.519.

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

Sincerely,

  
Linda Bjornstad  
Official Public Documents

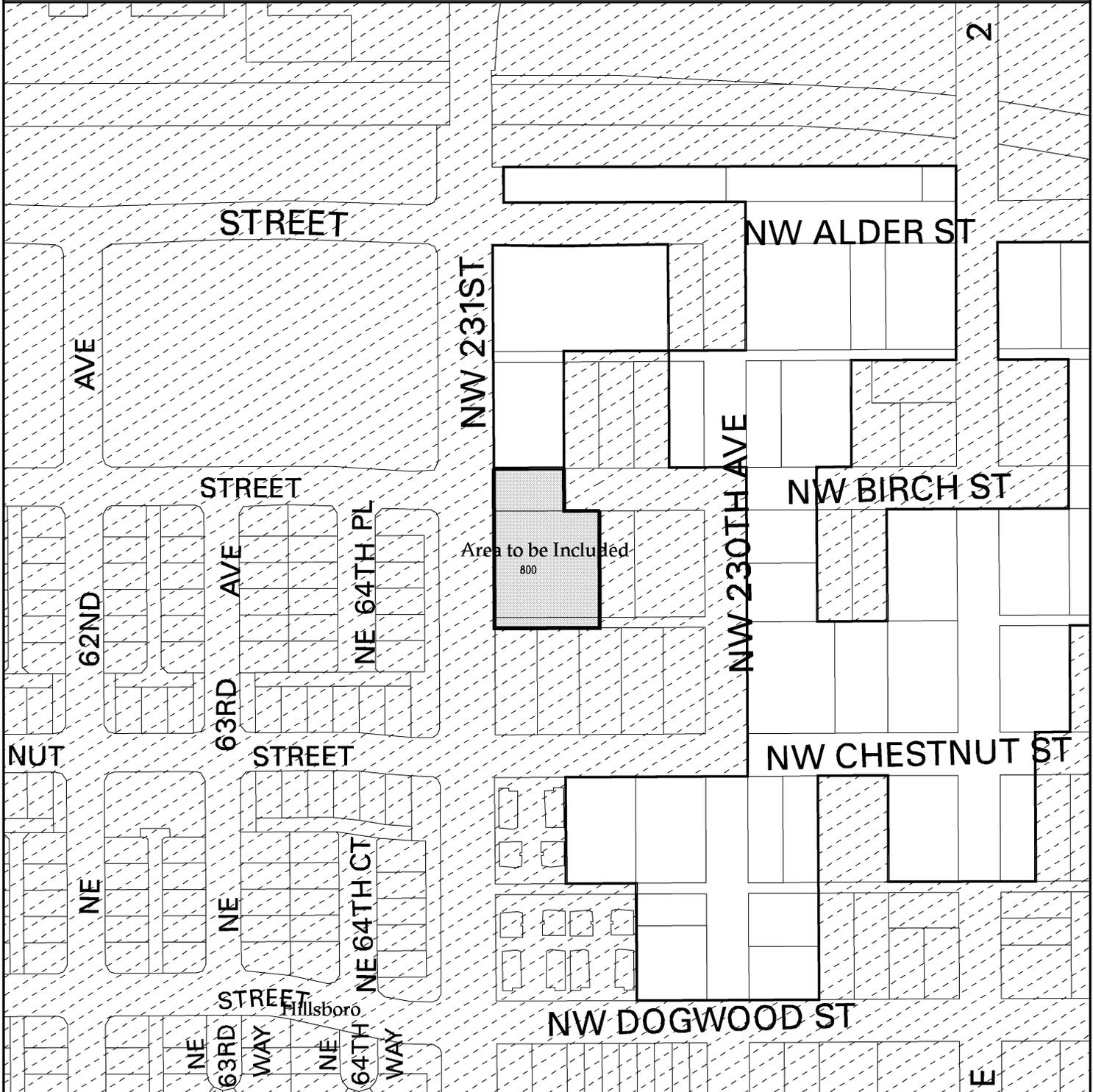
cc: County Clerk(s)  
Department of Revenue  
ODOT  
Population Research Center

# Proposal No. WA5206

1N234AC

Annexation to the City of Hillsboro

Washington Co.



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**

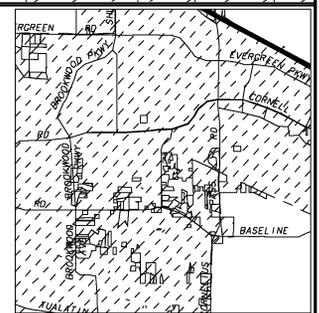
The information on this map was derived from digital databases on Metro's GIS. Care was taken in the creation of this map. Metro cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied, including the warranty of merchantability or 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. WA5206  
CITY OF HILLSBORO  
Figure 1

Scale: 1" = 200'



# Notice to Taxing Districts

ORS 308.225



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

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

**Description and Map Approved**  
**October 6, 2006**  
**As Per ORS 308.225**

Description     Map received from: METRO  
 On: 10/5/2006

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

ANNEX TO CITY OF HILLSBORO; WITHDRAW FROM SEVERAL DISTRICTS WA 5206

ORD.#5656/AN9-06 WOODRUFF

has been:     Approved            10/6/2006  
                    Disapproved

Notes:

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Department of Revenue File Number: 34-1822-2006

Prepared by: Carolyn Sunderman, 503-945-8882

Boundary:     Change     Proposed Change  
 The change is for:

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

CERTIFIED TO BE A TRUE AND  
CORRECT COPY OF THE ORIGINAL

  
Recorder, City of Hillsboro

ORDINANCE NO. 5656  
AN 9-06: WOODRUFF

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

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

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

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

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

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

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

WHEREAS, the tract of land lies within the following districts: Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; Washington County Service District for Urban Road Maintenance; and Washington County Service District #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 July 18, 2006, and does hereby favor the annexation of the subject tract of land and withdrawals from the districts based on the findings attached hereto as Exhibit B;

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

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

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

Section 2. The tract of land annexed by this ordinance and described in Section 1 is withdrawn from the following districts upon the effective date of the annexation: Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; Washington County Service District for Urban Road Maintenance; and Washington County Service District #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 18<sup>th</sup> day of July, 2006.

Approved by the Mayor this 18<sup>th</sup> day of July, 2006.

  
\_\_\_\_\_  
Mayor

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

City of Hillsboro  
Annexation 9-06: Woodruff  
Proposed legal description  
MF June 6, 2006

## Exhibit 'A'

A tract of land in Section 34, Township 1 North, Range 2 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

Beginning at the northeast corner of Lot 4, Block 4, Orenco Townsite, a duly recorded subdivision in said county;

thence South, along the east boundary of said lot and southerly projection thereof, a distance of 165.0 feet to the south right-of-way line of the alley in said Block 4;

thence West, along said south right-of-way line, a distance of 150.0 feet to the east right-of-way line of NW 231<sup>st</sup> Avenue;

thence North, along said east right-of-way line, a distance of 225.0 feet to the north right-of-way line of NW Birch Street;

thence East, along said right-of-way line, a distance of 100.0 feet to its intersection with the northerly projection of the west boundary of said Lot 4;

thence South, along said projection, a distance of 60.0 feet to the northwest corner of said Lot 4;

thence East, along the north boundary of said lot, a distance of 50.0 feet to the place of beginning.

2517

KNOW ALL MEN BY THESE PRESENTS THAT CHARLES E. POWELL and HELEN M. POWELL, husband and wife,

In consideration of Ten and no/100 Dollars

to them paid by Jack Allen Woodruff and Helen Louise Woodruff, husband and wife,

do hereby give, bargain, sell and convey unto the said grantee, their heirs and assigns, all the following real property, with the fixtures, hereditaments and appurtenances, situated in the County of Washington and State of Oregon, bounded and described as follows, to-wit:

Lots 4 and 5 and 6, in Block 4, Orange Town Sec.

Subject to liquor restrictions in deeds in chain of title.



To Have and to Hold the above described and granted premises unto the said grantee, their heirs and assigns forever.

And the grantee do covenant that they and lawfully heirs in fee simple of the above granted premises free from all encumbrance.

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 their hand and seal this 11th day of January, 1957.

Charles E. Powell (Seal)

Helen M. Powell (Seal)

(Seal)

(Seal)

STATE OF OREGON,

County of Washington,

On this 11th day of January, 1957,

before me, the undersigned, a Notary Public in and for said County and State, personally appeared the persons named CHARLES E. POWELL and HELEN M. POWELL,

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 written.

Gregory R. Boyd (Signature)

Notary Public for Oregon

My commission expires MAY 21, 1957

BOOK 413 PAGE 222

WARRANTY DEED

Charles E. Powell et ux

to  
Jack Allen Woodruff et ux

AFTER RECORDING RETURN TO

B & B REAL ESTATE  
ROUTE 2 BOX 181-S  
FOREST GROVE, OREGON

STATE OF OREGON,

County of Washington

I certify that the within instrument was received for record on the 11th day of January, 1957,

at 1:13 P.M. and recorded in Book 413, at page 222, of the Record of Deeds of said County.

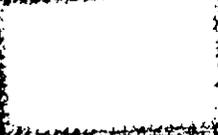
Witness my hand and seal of County aforesaid.

ROGER THOMSSON, County Clerk

By: [Signature] Deputy



INDEXED  
DEED NO 2517



Wherefore, the undersigned, the said parties and the said parties, that have signed hereon, do hereby certify that the above is a true and correct copy of the original instrument as the same appears in the records of the County of Washington, State of Oregon.

and do hereby certify that the above is a true and correct copy of the original instrument as the same appears in the records of the County of Washington, State of Oregon.

Witness my hand and seal of office this 11th day of January, 1959.

*Charles L. Powell* (Seal)

*Arthur M. Powell* (Seal)

(Seal)

(Seal)



On the 11th day of January, 1959.

I, the undersigned, my secretary and the said County and State, personally appeared the said parties, who are the parties to the above instrument, and they acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have signed at my hand and affixed my official seal on the day and year first above written.

*John P. Boyd*  
Notary Public in Oregon  
My commission expires May 27, 1959

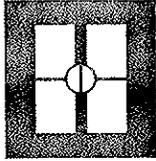
**WARRANTY DEED**

OREGON DEEDS No. 2517

Know all men by these presents, that the undersigned, the said parties and the said parties, that have signed hereon, do hereby certify that the above is a true and correct copy of the original instrument as the same appears in the records of the County of Washington, State of Oregon.

STATE OF OREGON,  
County of Washington

Know all men by these presents, that the undersigned, the said parties and the said parties, that have signed hereon, do hereby certify that the above is a true and correct copy of the original instrument as the same appears in the records of the County of Washington, State of Oregon.



## EXHIBIT B

### FINDINGS IN SUPPORT WOODRUFF ANNEXATION FILE NO. AN 9-06

#### I. BACKGROUND INFORMATION AND SITE DESCRIPTION

One petitioner representing one property requested City Council approval for annexation of approximately 0.52 acres into the City Limits of Hillsboro.

The property under consideration is located generally south of NW Birch Street, east of NW 231<sup>st</sup> Avenue, west of NW 230<sup>th</sup> Avenue, and north of NW Chestnut Street. The property can be specifically identified as Tax Lot 800 on Washington County Tax Assessor's Map 1N2-34AC. The assessed value of the property is \$119,000. The Measure 50 Base Value is \$125,690.

The property is generally flat and has scattered trees along the eastern boundary. A single family residence is located on Tax Lot 800, which is addressed at 23060 NW Birch Street.

#### II. PROCEDURAL REQUIREMENTS

In accordance with ORS 222.125 the petition for annexation from the property owner constituted 100 percent of the property owners and at least 50 percent of the registered voters residing on the property. Notice of the proposed annexation was given as specified by Metro Code Chapter 3.09.030 and ORS 222.120. A staff report was prepared and available 15 days prior to the hearing as stipulated by Metro Code Chapter 3.09.050. A public hearing on the matter was conducted by the City Council on July 18, 2006.

#### III. APPLICABLE APPROVAL CRITERIA

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

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

**FINDING:** There is currently a Hillsboro Urban Service Provider Agreement in place for this area, dated April 2, 2003, as required by ORS 195.065 (Senate Bill 122). The units of local government which have entered into this agreement are as follows: Washington County; City of Hillsboro; City of Beaverton; Metro; Clean Water Services; TriMet; Tualatin Valley Park and Recreation District; Tualatin Valley Fire and Rescue District; Tualatin Valley Water District; and Washington County Fire

District No. 2. The annexation is consistent with the applicable provisions of the Agreement, specifically Section 1 Roles and Responsibilities(C) and (E).

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

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

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

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

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

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

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

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

Section 12. Public Services Implementation Measure (V)(I)(2) The City shall require properties in the urban area to annex to the City prior to the provision of water service.

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

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

**FINDING:** The annexation would be consistent with regional framework and functional plans. The City's current plan designation for the property is SCPA – Station Community Planning Area, which is consistent with the regional urban growth goals and objectives. The property has been recommended for SCR-OTC – Station Community Residential – Orenco Townsite Conservation zoning, and the City Council will consider the recommended zone immediately following approval of the annexation (Casefile No. ZC 14-06).

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

**FINDING:** An eight-inch City water line is located in the NW Birch Street right-of-way; an eighteen-inch line is located in the NW 231<sup>st</sup> Avenue right-of-way. An eight-inch City sanitary sewer line is located in the NW Birch Street right-of-way. A twelve-inch City storm water lines is located in the Birch Street right-of-way.

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

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

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

**FINDING:** Pursuant to ORS 222.524, the City of Hillsboro has determined that withdrawal of the 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 June 29, 2006



# AN 9-06 & ZC 14-06: WOODRUFF



REQUEST FOR ANNEXATION OF ONE PROPERTY APPROXIMATELY 0.52 ACRES IN SIZE (PLUS ADJACENT RIGHT-OF-WAY) AND ASSOCIATED REQUEST FOR ZONE CHANGE FROM COUNTY R-5 (FIVE UNITS PER ACRE) TO CITY SCR-OTC STATION COMMUNITY RESIDENTIAL - ORENCO TOWNSITE CONSERVATION ZONE.

