

Final Documents

For

Annexation to the
City of Hillsboro

WA5506

Ordinance #5687

DOR 34-1829-2006

Sec. of State AN 2006-0328

Property Information:

1S210CB00700

1S210CB00800

1S210CB01300

1S210CB01400

5200 SE ALEXANDER ST

3250 SE BROOKWOOD AVE

NO SITE ADDRESS

24175 SW DAVIS RD



November 30, 2006

Metro
Joanna Mensher
600 NE Grand Ave
Portland, Oregon 97232-2736

Dear Ms. Mensher:

Please be advised that we have received and filed, as of November 30, 2006, the following records annexing territory to the following:

Ordinance/Resolution Number(s)	Our File Number
2006-446 (CC Service District #1)	SD 2006-0130
2006-447 (CC Service District #1)	SD 2006-0131
06-213 (Clean Water Service District (Sewer))	SD 2006-0132
06-206 (Clean Water Service District (Sewer))	SD 2006-0133
2860 (City of Gresham)	AN 2006-0327
5687 (City of Hillsboro)	AN 2006-0328
5685 (City of Hillsboro)	AN 2006-0329
2006-17 (City of Forest Grove)	AN 2006-0330
06-06 (City of King City)	AN 2006-0331

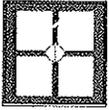
For your records please verify the effective date through the application of ORS 199.519.

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

Sincerely,

Linda Bjornstad
Official Public Documents

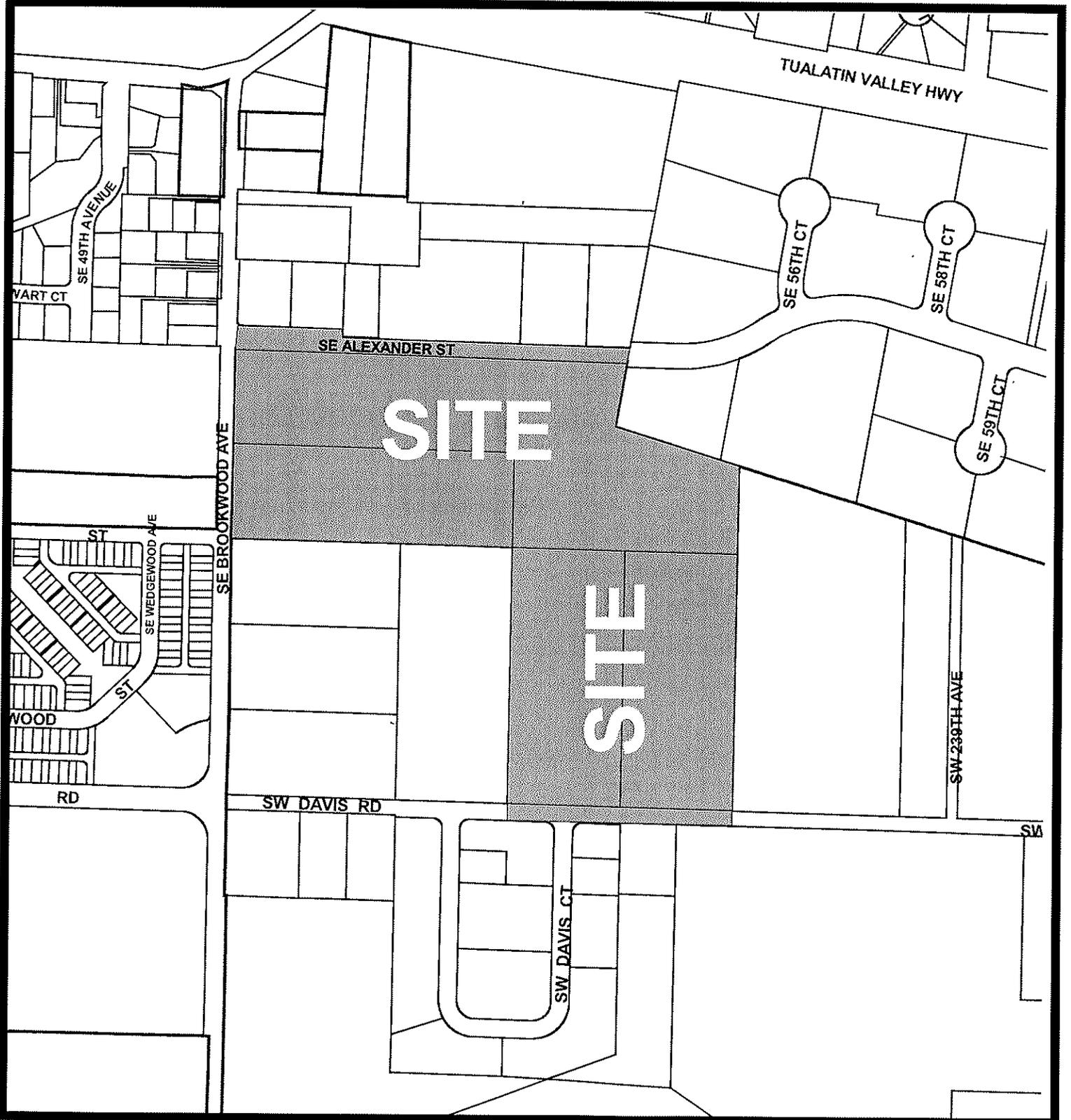
cc: County Clerk(s)
Department of Revenue
ODOT
Population Research Center



AN 14-06 & ZC 19-06: CHOU ET AL



REQUEST FOR ANNEXATION OF FOUR PROPERTIES TOTALING APPROXIMATELY 25.55 ACRES IN AREA AND ASSOCIATED ZONE CHANGE FROM COUNTY FD-20 TO CITY A-1 DUPLEX RESIDENTIAL AND MU-N MIXED USE - NEIGHBORHOOD



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
November 20, 2006
As Per ORS 308.225

Description Map received from: METRO
 On: 11/15/2006

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

ANNEX TO CITY OF HILLSBORO; WITHDRAW FROM SEVERAL DISTRICTS WA 5506

ORD. #5687 (AN 14-06)

has been: Approved 11/20/2006
 Disapproved

Notes:

Department of Revenue File Number: 34-1829-2006

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

ORDINANCE NO. 5687

AN 14-06: CHOU ET AL

AN ORDINANCE ANNEXING CERTAIN TRACTS OF LAND INTO THE CITY LIMITS OF HILLSBORO AND 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 owners of certain tracts of land, described in Exhibit A to this ordinance, requesting that the properties be annexed into 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, as permitted by ORS 222.120(2) and Metro Code Sections 3.09.045(a) 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 the Hillsboro Urban Service Area identified in the Hillsboro Urban Service Agreement (April, 2003) between and among the City of Hillsboro, Washington County, the City of Beaverton, Metro and several special service districts and is contemplated by the Agreement ultimately to become a part of the City of Hillsboro by eventual annexation of tracts of land to the City of Hillsboro;

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, 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 17, 2006, 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.

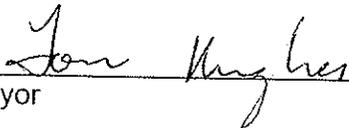
Section 2. The tracts of land annexed by this ordinance and described in Section 1 is withdrawn from the following districts upon the effective date of the annexation: Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; Washington County 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 17th day of October, 2006.

Approved by the Mayor this 17th day of October, 2006.



Mayor

ATTEST: 

City Recorder

City of Hillsboro
Annexation 14-06
Proposed legal description
NS, September 19, 2006

Exhibit 'A'

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

BEGINNING at the southwest corner of Lot 33 of Witch Hazel Little Farms, a duly recorded subdivision in said county;

thence North 1°00' West, along the west line of said Lot 33, the west line of Lot 34 of said plat, and the northerly projection of said line, a distance of 564.53 feet to the southwest corner of Lot 35 of said plat;

thence North 89°41'46" East, along the south line of Lots 35, 42 and 43 of said plat, a distance of 1081.52 feet to the southeast corner of said Lot 43;

thence South 8°16'30" West, along the northerly projection of the most westerly east line of Lot 44 of said plat, a distance of 40.45 feet to the northeast corner of said lot;

thence continuing South 8°16'30" West, along the most westerly east line of said Lot 44, a distance of 182.76 feet to an angle point;

thence South 74°21'30" East, along the most southerly north line of said lot, a distance of 357.65 feet to the most southerly northeast corner thereof;

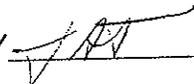
thence South 1°00' East, along the most easterly line of Lot 44, the east line of Lot 50 and the southerly projection thereof, a distance of 991.56 feet to a point on the south right of way line of Southwest Davis Road;

thence South 89°41'46" West, along said right of way line, a distance of 617.0 feet to the intersection of said right of way line and the southerly projection of the west line of Lot 49 of said plat;

thence North 1°00' West, along said projection and the west line of said Lot 49, a distance of 746.04 feet to the southeast corner of Lot 45 of said plat;

thence South 89°41'46" West, along the south line of Lot 45 and Lot 33 of said plat, a distance of 771.25 feet to the point of beginning.

ANNEXATION CERTIFIED

BY 

SEP 28 2006

WASHINGTON COUNTY A & T
CARTOGRAPHY

KNOW ALL MEN BY THESE PRESENTS, That JOHN A. SALVON and BONNIE L. SALVON

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by PHILIP CHOU and MARGARET CHOU, husband and wife, hereinafter called the grantee; does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns; that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Washington and State of Oregon, described as follows, to-wit:

Lots 34 and 44 and the North one-half of Lot 45, WITCH HAZEL LITTLE FARMS, Washington County, Oregon.

\$60.00 Documentary Stamp
Fee Paid 8-15-77

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except statutory powers of Unified Sewerage Agency;--

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 50,000.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the consideration (indicate which):

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

In Witness Whereof, the grantor has executed this instrument this 12th day of August, 1977; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

(If executed by a corporation, affix corporate seal)

John A. Salvon
Bonnie L. Salvon

STATE OF OREGON,
County of Washington }
August 12, 1977

STATE OF OREGON, County of Washington }
August 12, 1977

Personally appeared the above named John A. Salvon and Bonnie L. Salvon

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

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

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

(OFFICIAL SEAL)

Patricia Marie Erickson
Notary Public for Oregon
My commission expires 3/18/80

Notary Public for Oregon
My commission expires:

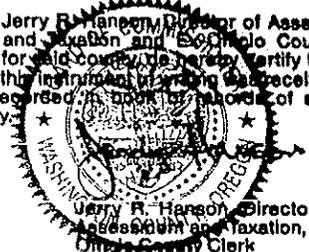
(OFFICIAL SEAL)

Salvon
Chou
GRANTOR'S NAME AND ADDRESS
GRANTEE'S NAME AND ADDRESS
Mr. and Mrs. Philip Chou
3110 S.W. 247th
Hillsboro, OR 97123
NAME, ADDRESS, ZIP
NAME, ADDRESS, ZIP

STATE OF OREGON
County of Washington
1, Roger Thomassen, Director of Records and Elections and Ex-Officio Recorder of Conveyances for said county, do hereby certify that the within instrument of writing was received and recorded in book of records
No. _____ of said County
Witness my hand and seal this 15th day of August, 1977
ROGER THOMASSEN, Director of Records & Elections
Deputy
INDEXED
Aug 15 4 02 PM '77

1598

I, Jerry R. Hanson, Director of Assessment and Taxation and Washington County Clerk for said county, do hereby certify that the within instrument of writing has been received and recorded in book _____ of said county.



Jerry R. Hanson, Director of Assessment and Taxation, Executive County Clerk

Doc : 99024561
Rect: 226791 31.00
02/26/1999 03:27:29pm

KLAAS ELLERBROOK, JR. AND LYNN S. ELLERBROOK
TO:
KLAAS ELLERBROOK AND SANDRA LYNN
ELLERBROOK, TRUSTEES, OR THEIR SUCCESSORS IN
TRUST, UNDER THE KLAAS & SANDRA ELLERBROOK
REVOCABLE LIVING TRUST DATED FEBRUARY 24,
1999, AND ANY AMENDMENTS THERETO

GRANTOR

GRANTEE

After recording, return to:
Gerald E. Montgomery
One Lincoln Center, Suite 510
10300 S.W. Greenburg Road
Portland, OR 97223
Until a change is requested, all
tax statements shall be sent to
the following address:
No Change.

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That KLAAS ELLERBROOK, JR. and LYNN S. ELLERBROOK, husband and wife, hereinafter called the Grantor, for the consideration hereinafter stated, to grantor paid by KLAAS ELLERBROOK AND LYNN S. ELLERBROOK, TRUSTEES, OR THEIR SUCCESSORS IN TRUST, UNDER THE KLAAS & SANDRA ELLERBROOK REVOCABLE LIVING TRUST DATED THE 24TH OF FEBRUARY, 1999, AND ANY AMENDMENTS THERETO hereinafter called the Grantee, does hereby grant, bargain, sell and convey their interest unto the said grantees and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Washington and State of Oregon, described as follows, to-wit:

Lot 33 and the South one-half of Lot 45, WITCH HAZEL LITTLE FARMS, Washington County, Oregon.

Subject to easements and restrictions of record.

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

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except as described above and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

THE TRUE CONSIDERATION FOR THIS CONVEYANCE IS \$ *NONE. *THIS CONVEYANCE IS FOR ESTATE PLANNING PURPOSES ONLY.

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

In Witness Whereof, the grantor has executed this instrument this 24th day of February, 1999.

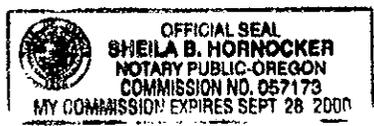
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Klaas Ellerbrook, Jr.
KLAAS ELLERBROOK, JR.

Lynn S. Ellerbrook
LYNN S. ELLERBROOK

STATE OF OREGON, County of Washington) ss. February 24, 1999
Personally appeared before me the above-named KLAAS ELLERBROOK, JR. and LYNN S. ELLERBROOK and acknowledged the foregoing instrument to be their voluntary act and deed.

Before Me: Sheila B. Hornocker
Notary Public for Oregon
My commission expires: 9/28/00



TICOR TITLE INSURANCE



TICOR TITLE INSURANCE

85051527

STATUTORY WARRANTY DEED

HAZEL P. WHITCOMB, as to an undivided 1/2 interest and DONNA M. OTT * Grantor, conveys and warrants to ROBERT STRAUSS and DEANNA STRAUSS, husband and wife Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in Washington County, Oregon, to wit: Lot 49, WITCH HAZEL LITTLE FARMS, Washington County, Oregon.

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 said property is free from encumbrances except

* & ROBERT T. OTT, husband and wife, as to an undivided 1/2 interest;

The true consideration for this conveyance is \$ 37,500.00

(Here comply with the requirements of ORS 93.030)

Dated this 27th day of December 19 85.

Hazel P. Whitcomb
Donna M. Ott

Robert T. Ott

State of Oregon, County of Washington
The foregoing instrument was acknowledged before me this 27th day of December, 19 85 by Hazel P. Whitcomb, Donna M. Ott, and Robert T. Ott

State of Oregon, County of
The foregoing instrument was acknowledged before me this day of 19 by President and Secretary of a corporation, on behalf of the corporation.

Notary Public for Oregon
My commission expires: 8/14/87

Notary Public for Oregon
My commission expires:

WARRANTY DEED

WHITCOMB & OTT STRAUSS, Robert & Deanna

GRANOR GRANTEE

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

Mr. and Mrs. Robert Strauss
24370 SW Davis Hillsboro, OR 97123
Escrow No. 34-128652 Title No. 34-128652

After recording return to:

Mr. and Mrs. Robert Strauss
24370 SW Davis Hillsboro, OR 97123

WASHINGTON COUNTY REAL PROPERTY TRANSFER TAX 12-30-85 DATE 12-30-85 FEE PAID

STATE OF OREGON County of Washington } SS

I, Donald W. Mason, Director of Assessment and Taxation and Ex-Officio Recorder of Conveyances for said county, do hereby certify that the within instrument of writing was received and recorded in book of records of said county.

Donald W. Mason, Director of Assessment and Taxation, Ex-Officio County Clerk

1985 DEC 30 PM 12:51

MEMORANDUM OF CONTRACT

BY LAND SALE CONTRACT dated the _____ day of _____, 1983, by and between EDWARD W. FELDT and MARTHA FELDT, husband and wife, therein referred to as SELLER, and ROBERT STRAUSS and DEANNA STRAUSS, husband and wife, therein referred to as BUYER, the SELLER sold to BUYER the following described real property located in Washington County, Oregon, to-wit:

Lot 50, WITCH HAZEL LITTLE FARMS, Washington County, Oregon.

This Memorandum of Contract is executed to evidence and confirm the Land Sale Contract referred to above and for the purpose of constituting notice of BUYER'S interest as vendee in the property hereinabove described.

The parties will divide equally the Washington County Transfer Tax.

The true and actual consideration paid for this transfer stated in terms of dollars is \$40,000.00.

IN WITNESS WHEREOF the parties hereto have set their hands and seals on the _____ day of _____, 1983.

Edward W. Feldt (SELLER)
Martha Feldt (SELLER)
Robert Strauss (BUYER)
Deanna Strauss (BUYER)

STATE OF OREGON)
) ss.
 County of Washington) _____, 1983

Personally appeared Edward W. and Martha Feldt and acknowledged the foregoing instrument to be their voluntary act and deed.
 Before me:

 Notary Public for Oregon.
 My Commission Expires: _____

STATE OF OREGON)
) ss.
 County of Washington) _____, 1983

Personally appeared Robert and Deanna Strauss and acknowledged the foregoing instrument to be their voluntary act and deed.
 Before me:

 Notary Public for Oregon.
 My Commission Expires: _____

After recording, return to:
 Edward Feldt
 1083 S. Fawn
 Cornelius, OR 97113

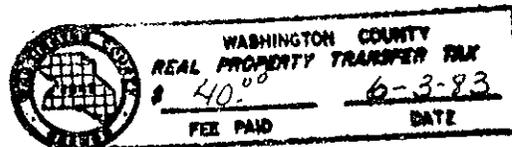


EXHIBIT B

FINDINGS IN SUPPORT CHOU ET. AL. ANNEXATION FILE NO. AN 14-06

I. BACKGROUND INFORMATION AND SITE DESCRIPTION

Six petitioners representing four properties requested City Council approval for annexation of approximately 25.55 acres into the City Limits of Hillsboro.

The properties under consideration are located generally north of SW Davis Road, south of SE Alexander Street, west of SW 239th Avenue and east of SE Brookwood Avenue. The properties can be specifically identified as Tax Lots 700, 800, 1300 and 1400 on Washington County Tax Assessor's Map 1S2-10CB. The total Measure 50 assessed value of the properties is \$1,962,150.

The site slopes gradually towards the southwest corner of the site. The majority of the site is farmland and pastureland with scattered clusters of trees. Single family residences and associated outbuildings are located on Tax Lots 700, 800 and 1400.

SE Brookwood Avenue and SW Davis Road are identified as three lane Collectors and SE Alexander Street as a two lane Collector in the Transportation System Plan (TSP).

The City of Hillsboro Goal 5 Natural Resource Inventory does not identify any Significant Natural Resources and associated impact areas on or near the site. The northwestern and southeastern portions of the site are within the 250-foot area of potential impact on the Clean Water Services Sensitive Areas Pre-Screen Map.

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 17, 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: The Hillsboro Urban Service Agreement was adopted April 2, 2003 between the City of Hillsboro and Washington County. The subject properties are part of the Hillsboro Urban Service Area and are thus subject to the terms and conditions that are contained in the Urban Service Agreement. Approval of this Petition for Annexation would be consistent with the intent and stated objectives of the Agreement. Section I.B. and I.D. designate the City as the "appropriate" and "ultimate service provider" for those areas within the Hillsboro Urban Service Boundary. Section I.G.1 states that the "City, County and Special Service Districts will develop a program for the eventual annexation of all unincorporated properties into the cities." As an unincorporated area, annexation of the subject properties would be consistent with this provision. The Witch Hazel Village Community Plan establishes the program and conditions for annexation of the site. Finally, annexation of the subject properties would bring about the transition of services from County to City as specified in Section V.A. and B and Exhibits A through G.

- 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 annexation would be consistent with the applicable Comprehensive Plan policies and implementation measures listed on pages 2 and 3. In particular, the annexation would be consistent with Section 23. General Development Policies (II)(I), supporting annexation phasing for land within the Witch Hazel Village Community Plan area, represented by Witch Hazel Village Figure 16: Composite Phasing Plan.

The *Hillsboro Urban Service Agreement* adopted in April, 2003 pursuant to ORS 195.065, automatically covers this site as shown on map A-1 of the Agreement. The Agreement establishes a common boundary between the Hillsboro and Beaverton Urban Service Areas called the *Beaverton/Hillsboro Urban Service Boundary* ("Boundary"). For the majority of its length the boundary follows the common school district boundary of the Beaverton and Hillsboro School Districts or the existing city limits that are east of the school district boundary. Section IV of the Agreement clearly demarcates this Boundary as the ultimate divide between the Cities of Hillsboro and Beaverton wherein land west of the Boundary is generally acknowledged under the Agreement as ultimately coming into Hillsboro while lands east of the Boundary ultimately would come into Beaverton.

Approval of the annexation would be consistent with, and carry out the intent and stated purposes and objectives of the entire *Hillsboro Urban Service Agreement*. Specifically, it fulfills Sections IV.A and IV.B of the Agreement which generally declare that areas west of the Beaverton/Hillsboro Urban Service Boundary and shown on Map Exhibit A-1 to the Agreement would become part of the City of Hillsboro Urban Service Area upon its addition to the UGB.

- 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 regional framework and functional plans. Annexation approval would bring the site into Hillsboro's planning and land use regulatory jurisdiction. On February 5, 2004, the City Council approved Hillsboro Comprehensive Plan amendment, HCP 5-03, incorporating goals, policies and implementation measures, along with the Witch Hazel Community Plan document in its entirety, to guide future urbanization of the area.

In addition, 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 designations for the properties are RM – Medium Density Residential and MU – Mixed Use, which is consistent with the regional urban growth goals and objectives. The properties will be rezoned to A-1 Duplex Residential and MU-N Mixed Use - Neighborhood pursuant to Section 97 of Hillsboro Zoning Ordinance No. 1945.

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

FINDING: There is a ten inch City water line located in the SE Brookwood Avenue right-of-way. There is an eight inch City sanitary sewer line in the SE Brookwood Avenue right-of-way. There is a twenty-four inch City storm line in the SE Brookwood Avenue 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 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, the City of Hillsboro has determined that withdrawal of the properties 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 October 2, 2006.