

Final Documents

For

Annexation to the
City of Hillsboro

WA6106

Ordinance 5692

DOR: 34-1834-2006

Sec. of State AN 2006-0378

Property Information:

1S210CA02000	23925 SW DAVIS RD
1S210CA01900	23805 SW DAVIS RD
1S210CA01800	NO SITE ADDRESS
1S210CA01700	3535 SW 234TH AVE



December 22, 2006

Metro
Linda Martin
600 NE Grand Ave
Portland, Oregon 97232-2736

Dear Ms. Mensher:

Please be advised that we have received and filed, as of December 22, 2006, the following records annexing territory to the following:

Ordinance/Resolution Number(s)	Our File Number
5670 (City of Hillsboro)	AN 2006-0377
5692 (City of Hillsboro)	AN 2006-0378
180573 (City of Portland)	AN 2006-0379

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

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
December 8, 2006
As Per ORS 308.225

Description Map received from: METRO
 On: 12/6/2006

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

ANNEX TO CITY OF HILLSBORO; WITHDRAW FROM SEVERAL DISTRICTS
 (RALSTON ET AL)

ORD. #5692 (AN 16-06)

has been: Approved 12/8/2006
 Disapproved

Notes:

Department of Revenue File Number: 34-1834-2006

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



AN 16-06 & ZC 21-06: RALSTON ET AL



REQUEST FOR ANNEXATION OF FOUR PROPERTIES TOTALING APPROXIMATELY 17.34 ACRES IN AREA AND ASSOCIATED ZONE CHANGE FROM COUNTY FD-20 TO CITY A-1 DUPLEX RESIDENTIAL ZONE.



**DOR 34-P392-2006
Preliminary Review**



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

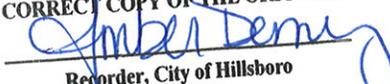
City of Hillsboro
Planning Department
Attn: Ruth Klein
150 E Main St, 4th floor
Hillsboro, OR 97123

Date: 10/20/2006

This letter is to inform you that the map and description for your PLANNED annex to City of Hillsboro (AN 16-06 Ralston et al) in Washington County have been reviewed per your request. They MEET the requirements for use with an Order, Ordinance, or Resolution which must be submitted in final form before March 31, 2007 per ORS 308.225.

If you have any questions please contact: Carolyn Sunderman, 503-945-8882

CERTIFIED TO BE A TRUE AND
CORRECT COPY OF THE ORIGINAL


Recorder, City of Hillsboro

ORDINANCE NO. 5692

AN 16-06: RALSTON 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 November 7, 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.

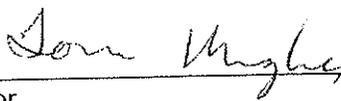
Section 2. The tracts of land annexed by this ordinance and described in Section 1 are withdrawn from the following districts upon the effective date of the annexation: Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; Washington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

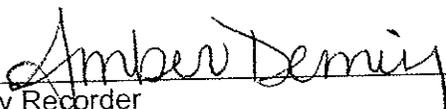
Section 4. Inasmuch as it is necessary that this annexation become effective soon, so as to avoid unnecessary hardship to the property owner and allow for the immediate provision of City services, an emergency is declared to exist and this ordinance shall become effective immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council this 7th day of November, 2006.

Approved by the Mayor this 7th day of November, 2006.



Mayor

ATTEST: 

City Recorder

City of Hillsboro
Annexation 16-06: Ralston et. al.
Proposed legal description
NS, September 26, 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 northeast corner of Lot 60 of Witch Hazel Little Farms, a duly recorded subdivision in said county;

thence South 74°21'30" East, along the easterly projection of the north line of said lot, a distance of 20.16 feet to the intersection of said projection and the centerline of Southwest 234th Avenue;

thence South 8°23' West, along said centerline, a distance of 142.33 feet to an angle point in said centerline;

thence continuing along said centerline South 46°20' West, a distance of 252.75 feet to an angle point in said centerline;

thence continuing along said centerline South 8°50' West, a distance of 165.20 feet to the intersection of said centerline and the easterly projection of the south right of way line of Southwest Davis Road;

thence South 89°41'46" West, along said projection and said south right of way line, a distance of 1096.97 feet, more or less, to the intersection of said south right of way line and the southerly projection of the west line of that tract of land conveyed to Douglas S. Town and Judy Town by deed recorded December 5, 2002 as Document No. 2002-147497 in Deed Records of said county;

thence North 1°00' West, along said projection and said west line, a distance of 859.95 feet, more or less, to a point on the north line of Lot 54 of Witch Hazel Little Farms;

thence South 74°21'30" East, along said north line and the easterly projection thereof, a distance of 164.90 feet, more or less, to the northwest corner of Lot 58 of said subdivision;

thence South 74°21'30" East, along the north line of Lots 58, 59, and 60 of said subdivision, a distance of 1207.42 feet to the point of beginning.

ANNEXATION CERTIFIED

BY JT

OCT 02 2006

WASHINGTON COUNTY A & T
CARTOGRAPHY

STATE OF
County of
I certify
record on

06/10/2005 10:29:34 AM
D-OW Cnt=1 Bln=16 D HOFF
\$15.00 \$6.00 \$11.00 \$2,750.00 - Total = \$2,782.00



00783783200500655230030034

book/reel/
and/or as fi

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



Witness

Name Title

By _____	Deputy _____
WASHINGTON COUNTY	
REAL PROPERTY TRANSFER TAX	
\$2750.00	6-10-05
FEE PAID	DATE



AFTER RECORDING RETURN TO:
Timothy R. Ralston

.931 SW King Avenue
Portland, Oregon 97205.

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

Tim Ralston
931 SW King Avenue
Portland, Oregon 97205

Escrow No.: 50-408948-CE
Order No.: 408948

SPACE RESERVED
FOR
RECORDER'S USE

SPECIAL WARRANTY DEED - STATUTORY FORM
(INDIVIDUAL or CORPORATION)

Homestead Development Group, LLC, an Oregon limited liability company and Fourth Tier Investments, LLC, an Oregon limited liability company, as tenants in common

Grantor, conveys and specially warrants to

Timothy R. Ralston

Grantee, the following real property free of encumbrances created or suffered by the grantor except as specifically set forth herein:

An undivided 60% interest in the following described property:

Lots 59 and 60, WITCH HAZEL LITTLE FARMS, in the County of Washington and State of 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 and to determine any limits on lawsuits against farming or forest practices as defined in ORS 30.930

ENCUMBRANCES:
SEE ATTACHED EXHIBIT "A", made a part hereof by reference.

The true consideration for this conveyance is \$2,750,000.00, paid by a Qualified Intermediary pursuant to an IRC Section 1031 Deferred Exchange.

Dated June 8th 2005; if a corporate grantor, it has caused its name to be signed by order of its board of directors.

Homestead Development Group, LLC

BY: [Signature]
Ron Guillory

ITS: Managing Member

Fourth Tier Investments, LLC

BY: [Signature]
Jeff Bachrach

ITS: Managing Member

STATE OF OREGON
County of Multnomah

This instrument was acknowledged before me this 9 day of June, 2005, by Ron Guillory, as Managing Member of Homestead Development Group, LLC.

[Signature]

Notary Public for Oregon
My Commission Expires: 5/15/07



32/65

2750

50 408948 CE

408948

Chicago Title Insurance Co.



(SEAL)

STATE OF OREGON
County of Multnomah

This instrument was acknowledged before me this 9 day of June, 2005, by Jeff Bachrach, as Managing Member of Four Tier Investments, LLC.

Cheryl Stahel-Eastman

Notary Public for Oregon
My Commission Expires: 5/15/07

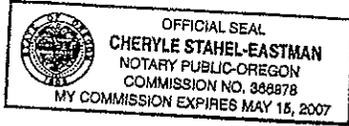




EXHIBIT "A"

- 1. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied, in addition thereto a penalty may be levied if notice of disqualification is not timely given.
- 2. The Washington County Tax Roll discloses an Unzoned Farmland lien of \$4,305.23 under Tax Account R342908.

The Washington County Tax Roll discloses an Unzoned Farmland lien of \$1,319.64 under Tax Account R342891.

- 3. An easement created by instrument, including terms and provisions thereof;
 - Recorded: March 19, 1993
 - Recorder's Fee No.: 9303899
 - In Favor Of: Unified Sewerage Agency of Washington County
 - For: Sewer
 - Affects: The North 20 feet of the East 150 feet of Lot 60

- 4. Memorandum of Preliminary Sales Agreement, including the terms and provisions thereof;

- Dated: October 31, 2002
- Recorded: December 4, 2002
- Recorder's Fee No.: 2002-146743
- By and Between: Westmark LLC and Second 55 West Joint Venture

(Affects an undivided 40% interest in the herein described premises)

By an unrecorded Assignment and Consent and an unrecorded option agreement the sellers interest if now held by Wolverine Financial, LLC, an Oregon limited liability company and the buyers interest is now held by Homestead Development Group, LLC, an Oregon limited liability company and Fourth Tier Investments, LLC, an Oregon limited liability company, as tenants in common

- 5. Trust Deed, including the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein;

- Dated: June 8, 2004
- Recorded: June 8, 2004
- Recorder's Fee No.: 2004-064745
- Amount: \$1,110,000.00
- Grantor: Homestead Development Group, LLC and Fourth Tier Investments, LLC

- Trustee: Chicago Title Insurance Company
- Beneficiary: Prestige Data Services Inc. Profit Share FBO R.G. Arrell

(Affects an undivided 60% interest in the herein described premises)

4285

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.



Doc : 98053318
Rect: 209077 33.00
05/20/1998 03:35:45pm

After Recording Return to:
Anita L. Platt, Trustee
23805 S.W. Davis Street
Hillsboro, OR 97123

Mail Tax Statements to:
Anita L. Platt, Trustee
23805 S.W. Davis Street
Hillsboro, OR 97123

WARRANTY DEED

ROBERT T. PLATT III and ANITA L. PLATT, husband and wife, hereinafter called grantors, convey and warrant to ANITA L. PLATT, Trustee of the ANITA L. PLATT 1998 LIVING TRUST, hereinafter called grantee, the following-described real property:

Lot 58, WITCH HAZEL LITTLE FARMS, Washington County, Oregon.

Subject to easements, covenants, conditions and restrictions of record.

The true consideration for this conveyance is none.

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.

Dated this 13th day of May, 1998.

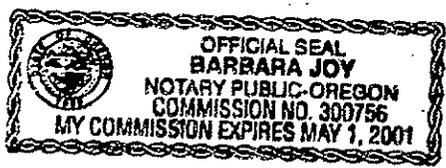
ROBERT T. PLATT III

ANITA L. PLATT

STATE OF OREGON)
County of Washington) ss

Personally appeared before me on the 13th day of May, 1998, ROBERT T. PLATT III and ANITA L. PLATT, and acknowledged the foregoing instrument to be their voluntary act and deed.

NOTARY PUBLIC FOR OREGON
My Commission Expires: 5-1-01



AFTER RECORDING RETURN TO:

Douglas and Judy Town
1280 SE 40th
Hillsboro, OR 97123

ALL TAX STATEMENTS SENT TO:

Douglas and Judy Town
1280 SE 40th
Hillsboro, OR 97123

Wash. n County, Oregon 2002-147497
12/05/2002 11:41:48 AM
D-DPR Cnt=1 Stn=11 C WHITE
\$5.00 \$6.00 \$11.00 - Total=\$22.00



00214828200201474870010017

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.

Jerry Hanson

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



PERSONAL REPRESENTATIVE'S DEED

For value received Douglas S. Town, the duly appointed, qualified and acting personal representative of the estate of Elizabeth Town, deceased, does hereby grant unto Douglas S. Town and Judy Town, Grantees, husband and wife, and their successors-in-interest and assigns, all the right, title and interest of the said deceased at the time of decedent's death, and all the right, title and interest that the said estate of said deceased by operation of the law or otherwise may have thereafter acquired in that certain real property in the County of Washington, State of Oregon, described as follows, to-wit:

The east 128 feet of Lot 54, WITCH HAZEL LITTLE FARMS, Washington County, Oregon

TO HAVE AND TO HOLD the same unto the grantees and their heirs, successors-in-interest and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$0.00. This conveyance is made as a distribution to Douglas S. Town, as part of his share of the estate of the deceased.

IN WITNESS WHEREOF, the personal representative has executed this instrument.

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.

Douglas S. Town
Personal Representative of the
Estate of Elizabeth Town, Deceased

STATE OF OREGON, County of Washington) ss.

Personally appeared the above named Douglas S. Town and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me this 3rd day of December, 2002.

Jamie L. Otjen
Notary Public for Oregon



EXHIBIT B

FINDINGS IN SUPPORT RALSTON ET. AL. ANNEXATION FILE NO. AN 16-06

I. BACKGROUND INFORMATION AND SITE DESCRIPTION

The properties under consideration are located generally north of SW Davis Road, south of SE Alexander Street, west of SW 234th Avenue, and east of SW Brookwood Avenue. The properties can be specifically identified as Tax Lots 1700, 1800, 1900 and 2000 on Washington County Tax Assessor's Map 1S2-10CA. The total Measure 50 assessed value of the properties is \$729,750.

The site slopes gradually towards the southeast corner of the site. The majority of the site is farmland, pastureland and orchards, with scattered clusters of trees. Single family residences and associated outbuildings are located on Tax Lots 1700, 1900 and 2000.

SW 234th Avenue and SW Davis Road are identified as three lane Collectors and SW 239th Avenue as a Local Residential Street 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 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 November 7, 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 OS – Open Space, which is consistent with the regional urban growth goals and objectives. The properties will be rezoned to A-1 Duplex Residential 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 23, 2006.