

Final Documents

For

Annexation to the
City of Hillsboro

WA7204
Ordinance 5433
DOR 34-1714-2004
Sec. State: AN-2004-0274

Final to DOR: _____

Signature:

 _____

Date of

Mailing: 12/2/04

Final to Secretary of State: _____

Signature:

 _____

Date of

Mailing: 12/21/04

WA7204

Sent

Received

DOR: 12/2/04 12/21/04

Sec. State: 12/21/04 12/27/04

Assessor: 12/21/04

Elections: 12/21/04

Mapped: Yes

Address Information: 1N2230000801 No Site Address
1N2230000901 No Site Address

Proposal No. WA7204

1N2W23

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

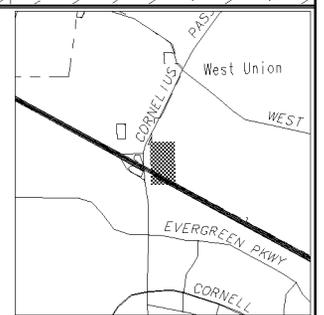
Annexation boundary

Urban Growth Boundary

Proposal No. WA7204
CITY OF HILLSBORO
Figure 1

Scale: 1" = 500'

0 500 1000



Office of the Secretary of State
Bill Bradbury
Secretary of State



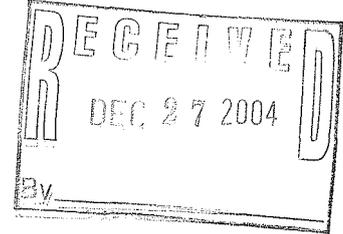
Archives Division
ROY TURNBAUGH
Director

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

Facsimile (503)373-0953

December 22, 2004

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



Dear Mr. Knight:

Please be advised that we have received and filed, as of December 22, 2004, the following records annexing territory to the following:

Ordinance/Resolution Number(s)	Our File Number
ORD NO 04-11	AN 2004-0268 (Tigard)
ORD NO 292	AN 2004-0269 (Happy Valley)
ORD NO 2402	AN 2004-0270 (Lake Oswego)
ORD NO 178891	AN 2004-0271 (Portland)
ORD NO 5442	AN 2004-0272 (Hillsboro)
ORD NO 5444	AN 2004-0273 (Hillsboro)
ORD NO 5433	AN 2004-0274 (Hillsboro)
ORD NO 1175-04	AN 2004-0275 (Tualatin)

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: Cities
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 21, 2004
As Per ORS 308.225

Description Map received from: METRO
 On: 12/3/2004, 12/20/2004

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

ANNEX TO CITY OF HILLSBORO; WITHDRAW FROM SEVERAL DISTRICTS
 WA7204

ORD. #5433 (AN 17-04)

has been: Approved 12/21/2004
 Disapproved

Notes:

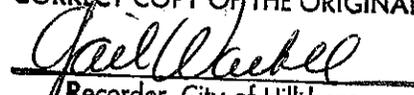
Department of Revenue File Number: 34-1714-2004

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. 5433
AN 17-04: HIGHWAY 26 RIGHT-OF-WAY


Recorder, City of Hillsboro

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, 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 to the city limits of Hillsboro;

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

WHEREAS, the tracts of land are contiguous to the City and can be served by City services;

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

WHEREAS, the tracts of land are located within Urban Planning Area B 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 property owners in Urban Planning Area B interested in annexation are welcome to contact the City for whatever information and assistance they need to initiate and complete the annexation process;

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 5, 2004, 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, is declared to be annexed to the City of Hillsboro, Oregon.

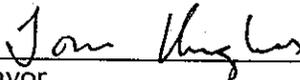
Section 2. The tracts of land annexed by this ordinance and described in Section 1 are withdrawn from the following districts upon the effective date of the annexation: Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; Washington 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 5th day of October, 2004.

Approved by the Mayor this 5th day of October, 2004.



Mayor

ATTEST: 

City Recorder

City of Hillsboro
Annexation 17-04: Highway 26 Right of Way
Proposed legal description
NS, September 23, 2004, revised Oct 26, 2004

Exhibit 'A'

A tract of land in Section 23, Township 1 North, Range 2 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

Commencing at the northwest corner of the John S. White Donation Land Claim No. 51;

thence South 88°02'47" East, along the north line of said claim, a distance of 1667.56 feet to the northwest corner of that tract of land described as Parcel III in Book 642, Page 554 in Deed Records of said county and the TRUE POINT OF BEGINNING;

thence South 88°02'47" East, along the north line of said parcel, a distance of 144.02 feet to the northeast corner thereof;

thence South 02°56'16" West, along the east line of said parcel, a distance of 1152.36 feet to a point on the north line of that tract of land conveyed to the City of Hillsboro by deed recorded February 20, 2004 as Document No. 2004-016558 in Deed Records of said county;

thence South 54°21'42" East, along the north line of said tract, a distance of 879.26 feet to a point on the north right-of-way line of Sunset Highway at engineer's station "LW" 2850 + 50 as shown on Oregon Highway Department Plan for the Cornelius Pass Road – Cornell Road Section of Sunset Highway, Project No. F-186(22) dated November 23, 1965, said right-of-way line being 70.0 feet distant from and parallel to the "LW" centerline of said Sunset Highway (Highway 26);

thence North 60°05'40" West, along said right of way line, a distance of 830.17 feet, more or less, to the southeast corner of the aforementioned Parcel III;

thence North 60°05'18" West, along the most southerly south line of said parcel, a distance of 20.56 feet;

thence North 29°54'42" East, along the most easterly northwest line of said parcel, a distance of 30.0 feet;

thence North 60°05'18" West, along the most northerly south line of said parcel, a distance of 156.29 feet to a point on the east line of the Oregon Electric Railroad right of way;

thence North 02°56'16" East, along said right of way line, a distance of 1141.57 feet, more or less, to the POINT OF BEGINNING.

25
6
11
LUT-B

Washington County, Oregon 2004-016558
02/20/2004 02:23:36 PM
D-DQ Cnt=1 Str=10 KIMBERLYE
\$25.00 \$6.00 \$11.00 - Total = \$42.00



00535412200400165580050059

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 writing was received and recorded in the book of records of said county.



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

Case No. 20030543
Tract No. Beth-SS-P2; P1

After recording, return to:
Bonneville Power Administration -
REACTY OFFICE MS. TRF-T PP 4
POB 61409
VANCOUVER WA 98666-1409
Consideration is \$ 223,500.00

QUITCLAIM DEED

THIS DEED made this 20th day of JANUARY, 2004, between the UNITED STATES OF AMERICA, Department of Energy, Bonneville Power Administration (BPA) hereinafter called Grantor, and City of Hillsboro, hereinafter called Grantee.

NOW THEREFORE, the Grantor, for and in consideration of \$223,500.00 (Two Hundred Twenty-Three Thousand Five Hundred & 00/100), the receipt whereof is hereby duly acknowledged, does hereby remise, release, and quitclaim unto the Grantee, Theirs heirs and assigns, all its right, title, interest and claim in and to a parcel of land to be released being a portion of the BPA Keeler Substation identified as Tract No.'s Beth-SS-P2; P1 situated in the EH LENNOX DLC NO. 50 AND JOHN S WHITE DLC NO. 51 of Section 23, Township 1 North, Range 2 West, Willamette Meridian in the County of Washington, State of Oregon, described as follows:

See Exhibit A

The said variable width of both parcels of land contains 1.8 acre(s), more or less.

Reserving to the United States of America from the land so granted:

A transmission line easement for the current electrical transmission lines and any future electrical transmission lines crossing the released parcels.

The right to enter and to locate, construct, operate, maintain, repair, reconstruct, upgrade, remove and patrol one or more lines of poles or structures and appurtenances thereto, supporting conductors of one or more electric circuits of any voltage and any communication lines or equipment and appurtenances thereto, together with the present and future right to clear the right-of-way and to keep the same clear of all trees, whether natural or cultivated, and all structure supported crops, other structures, trees, brush, vegetation, fire and electrical hazards, except non-structure supported agricultural crops less than 10 feet in height.

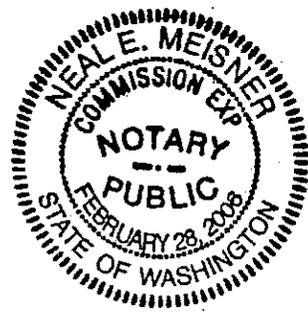


IN WITNESS WHEREOF, the Grantor, by its duly authorized representative has executed this deed pursuant to the delegation of authority promulgated in by the Acts of August 20, 1937 (50 Stat. 732, 16 U.S.C. § 832a), as amended, and October 23, 1962 (76 Stat. 1129, 40 U.S.C. § 319) and regulations, and delegations of authority issued pursuant thereto the provisions of which have been met, having been determined that the conveyance is in the public interest and will not be adverse to the interests of the United States.

Dated at Vancouver, Washington, this 20 day of January, 2004

UNITED STATES OF AMERICA
Department of Energy
Bonneville Power Administration

By Steve Bottemiller
Steve Bottemiller, Acting Manager, Real Estate Field Services



GIVEN under my hand and official seal this 20th day of January, 2004.

Neal E. Meisner
Notary Public for Washington

My Commission expires: February 28, 2008

Accepted on behalf of City of Hillsboro, Oregon.

ATTESTED BY Paul Warkel
CITY RECORDER

By: Tom Hughes
MAYOR, TOM HUGHES

DATE 2/17/04

Title: _____

Dated this 17th day of February, 2004



Parcel 1 - Fee

A parcel of land lying in Section 23, and in the John S. White Donation Land Claim Number 51, Township 1 North, Range 2 West. W.M., Washington County, Oregon and being a portion of that property designated as "Bethany Substation North Corridor" in that Warranty Deed to the United States of America, recorded September 17, 1957, in Book 398, Page 60 of Deed Records of Washington County; the said parcel being that portion of said property included in a strip of land variable in width lying on the Northeasterly side of the "LW" center line of the relocated Sunset Highway, which center line is described as follows:

Beginning at Engineer's center line Station "LW" 2817+00.00, said station being 115.38 feet South and 472.79 feet West of the Northwest corner the John S. White Donation Land Claim Number 51, Township 1 North, Range 2 West. W.M.; thence South 60° 05' 40" East 4,300.00 feet to Engineer's center line Station "LW" 2860+00.00.

The width in feet of said strip of land is as follows:

Station to	Station	Width on Northeasterly Side of Center Line
"LW" 2841 +50.00	"LW" 2850+50.00	160.35 in a straight line to 70.00

Bearings are based upon the Oregon Coordinate System of 1983(98), north zone.

This parcel of land contains 36.411 square feet, more or less, of which 13,663 square feet, more or less, lies outside of existing right-of-way.



EXHIBIT A-Page 2 of 2

Parcel 2 - Fee

A parcel of land lying in Section 23 and in the E.H. Lennox Donation Land Claim Number 50 and the John S. White Donation Land Claim Number 51, all in Township 1 North, Range 2 West. W.M., Washington County, Oregon and being a portion of those properties on the Southwesterly side of the Sunset Highway and described in the following: in that Final Judgment in Condemnation and Order of Distribution to the United States of America, recorded August 13.1955, in Book 372. Page 448 of Deed Records of Washington County; in that Warranty Deed to the United States of America, recorded September 17.1957, in Book 398, Page 60 of said Deed Records, and in that Judgment on the Declaration of Taking and Order of Immediate Possession by the United States of America, recorded September 26.1963, in Book 496. Page 296 of said Deed Records; the said parcel being that portion of said properties included in a strip of land variable in width lying on the Southwesterly side of the "LW" center line of the relocated Sunset Highway, which center line is described in Parcel 1 herein.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Southwesterly Side of Center Line
"LW" 2841 +50.00		"LW" 2852+00.00	294.43 in a straight line to 190.00
"LW" 2852+00.00		"LW" 2853+25.07	190.00
"LW" 2853+25.07		"LW" 2853+56.20	190.00 in a straight line to 180.00
"LW" 2853+56.20		"LW" 2859+40.00	180.00

ALSO that portion of Parcel 4, an Easement for Highway Purposes granted to the State of Oregon, by and through its Department of Transportation, Highway Division, and recorded June 12.1989, as Microfilm Document No. 89-26124 of Washington County Book of Records, lying Southwesterly of Parcel 2 described herein.

Bearings are based upon the Oregon Coordinate System of 1983(98), north zone.

This parcel of land contains 83,784 square feet, more or less, of which 65.344 square feet, more or less, lies outside of existing right-of-way.

PARCEL IV: A tract of land in Sections 23 and 24, Township 1 North, Range 2 West, W.M., Washington County, Oregon, described as follows:

Beginning at an iron rod on the North line of the John S. White D.L.C. No. 51 which is South 83° 02' 47" East 2776.75 feet from the stone at the Northwest corner of said D.L.C., said iron rod being at the Northeast corner of that tract conveyed to Bonneville Power Administration by deed recorded in Deed Book 398, page 80; thence South 83° 02' 47" East 3066.04 feet along the North line of the John S. White D.L.C. to an iron rod; thence South 1° 55' 52" West 2340.82 feet to an iron rod; thence South 77° 38' 12" East 624.00 feet to a point in the center of Rock Creek; thence South 03° 15' West 10.0 feet along the center of Rock Creek; thence South 41° 36' West 167.5 feet along the center of Rock Creek; thence South 89° 36' West 194.5 feet along the center of Rock Creek; thence South 66° 06' West 29.5 feet along the center of Rock Creek; thence South 01° 09' West 31.5 feet along the center of Rock Creek to a point on the South line of the John S. White D.L.C. No. 51 from which an iron rod bears North 77° 32' 40" West 40.0 feet; thence North 77° 32' 40" West 2710.86 feet along the South line of the John S. White D.L.C. No. 51 to an iron rod on the North line of the Oregon State Highway (Sunset Highway); thence North 60° 05' 18" West 850.83 feet along the North line of said highway to an iron

rod at the Southeast corner of the aforementioned Bonneville Power Administration tract; thence North 02° 56' 16" East 1758.70 feet along the East line of said Bonneville Power tract to the place of beginning.

EXCEPT therefrom that portion conveyed to State of Oregon by deed recorded April 22, 1966, in Book 597, page 403, Washington County, Deed Records. (Affects Parcels I and II)

TO HAVE AND TO HOLD the same to the said Park City Corporation, its heirs and assigns forever, AND the said Century West Corporation does covenant with the said Park City Corporation and its legal representatives forever, that it is lawfully seized in fee simple of the above described and granted premises, and has a valid right to convey same; that the said real property is free from all encumbrances except restrictions and reservations of record and that it will, and its successors shall WARRANT AND DEFEND the same to the said grantee, its heirs and assigns forever, against the lawful claims and demands of all persons whomsoever, except as aforesaid.

IN WITNESS WHEREOF, Century West Corporation pursuant to a resolution of its Board of Directors, duly and legally adopted, has caused these presents to be signed by its President and Secretary and its corporate seal to be affixed this 28th day of April, 1967.

CENTURY WEST CORPORATION

By Gene B. Talbott
President

By W.P. Talbot
Secretary

excepting any title, interest or encumbrance arising by, through or under the grantee, or taxes or assessments assessed or becoming due after August 31, 1962.

no Corp Seal Affixed

STATE OF OREGON)
County of Multnomah) ss.

On this 28th day of April, 1967, before me appeared GENE B. TALBOTT ~~xxx~~ both to me personally known, who being duly sworn, did say that he the said GENE B. TALBOTT is the President ~~and Secretary~~ of Century West Corporation, the within named Corporation, and that the seal affixed to said instrument is the corporate seal of said Corporation, and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and GENE B. TALBOTT ~~and~~ acknowledged said instrument to be the free act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

W. H. Top
Notary Public For Oregon

My Commission Expires 9/22/70



THIRTY DOLLARS (25.00), in hand paid, receipt of which is hereby acknowledged, CAROL BECHEN and ROBERT E. BECHEN, wife and husband; MARTHA BECHEN CORWELL, also known as Martha Corwell, and HER CORWELL, wife and husband; DEWEY B. BALDWIN, also shown of record as Dewey Ellen Bechen, and WILLIAM A. BALDWIN, wife and husband; ELEANOR BECHEN, a single woman; GAIL G. BECHEN, a single man; ESTER BECHEN, a single woman; HELEN CORWELL, also known as Helen E. Corwell, and ARTHUR W. CORWELL, wife and husband; JOHN C. BECHEN, also shown of record as John C. Bechen, Jr., and MARY ELLEN BECHEN, husband and wife; HARRY BECHEN, also known as Harry B. Bechen, and HELEN S. BECHEN, husband and wife; and BERT BECHEN, widow of Silas Bechen, deceased, have granted, bargained, and sold and by these presents do hereby grant, bargain, sell, and convey unto the UNITED STATES OF AMERICA and its assigns, the following-described tracts or parcels of land in the County of Washington, in the State of Oregon, to-wit:

A tract of land in the John S. White Donation Land Claim No. 51, Township 1 North, Range 2 West of the Willamette Meridian, Washington County, Oregon, more particularly described as follows:

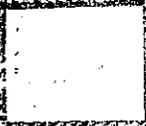
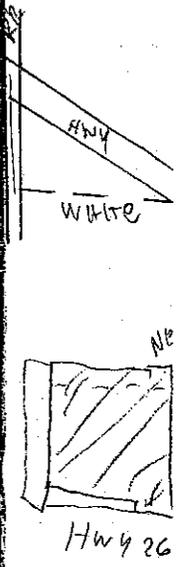
Beginning at a point on the south line of the John S. White D.L.C. No. 51, Township 1 North, Range 2 West, W.M., at the intersection of said line and the east boundary line of the right of way for the Oregon Electric Railway; thence southeasterly along the said south line of Claim No. 51 to the southerly boundary line of the right of way for the Sunset Highway (Primary State Hwy. No. 47); thence northwesterly along said highway right of way to the said east line of the Oregon Electric Railway right of way; thence southerly along said east line of the Railway right of way to the point of beginning, containing 4.1 acres, more or less.

Bethany Substation North Corridor

That portion of that part of the John S. White Donation Land Claim No. 51, Section 23, Township 1 North, Range 2 West of the Willamette Meridian, Washington County, Oregon, lying northerly of the right of way for the Sunset Highway, subject to the 100-foot right of way for the U. S. Bonneville Power Administration's St. Johns-Forest Grove transmission line, which lies within a strip of land 965 feet in width, the westerly boundary of said strip lying 194 feet distant easterly from and parallel to the centerline of the Oregon Electric Railway right of way.

The Grantors reserve the future right to construct a 60-foot road across the above-described Bethany Substation North Corridor at a mutually agreeable location to provide permanent access from property easterly of the north corridor to the Cornelius Pass County Road westerly of said corridor and further, shall be permitted

24 75
ERS



24 75



DEC 18 1987

10-6-
FA

DEPARTMENT OF
HIGHWAY DIVISION
119 N. BROADWAY
SEASIDE, OREGON 97138

Highway Division
File 54963
Proj. No. F-27-2(29)
Map No. 1A-18-33

ORIGINAL

87062245

DEED

THE PARK CITY CORPORATION LIQUIDATING TRUST, Grantor, hereby conveys unto the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, Highway Division, Grantee, the following described property, to wit:

PARCEL 1

A parcel of land lying in the John S. White D.L.C No. 51, Township 1 North, Range 2 West, W.M., Washington County, Oregon and being a portion of that property designated as Parcel III and described in that deed to Park City Corporation, recorded in Book 642, Page 554, Washington County Book of Records; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Northeasterly side of the center line of the relocated Sunset Highway which center line is described as follows:

Beginning at Engineer's center line Station "LW" 2835+00, said station being 1012.79 feet South and 1087.54 feet East of the Northwest corner of the John S. White D.L.C. No. 51, Township 1 North, Range 2 West, W.M.; thence South 60 ° 05' 43" East 2000 feet to Engineer's center line Station "LW" 2855+00.

The widths in feet of the strip of land above referred to are as follows:

Station	to	Station	Width on Northeasterly Side of Center Line
"LW"2836+50		"LW"2840+05	330 in a straight line to 170
"LW"2840+05		"LW"2845+00	170 in a straight line to 100

Bearings are based upon the Oregon Co-ordinate System, North Zone.

The parcel of land to which this description applies contains 9,750 square feet, more or less, outside of the existing right of way.

PARCEL 2

A parcel of land lying in the John S. White D.L.C No. 51, Township 1 North, Range 2 West, W.M., Washington County, Oregon and being that property designated as Parcel III and described in that deed to Park City Corporation, recorded in Book 642, Page 554, Washington County Book of Records.

EXCEPT therefrom Parcel 1.

The parcel of land to which this description applies contains 3.73 acres, more or less, outside of the existing right of way.

10-10-87
First American Title Ins. Co. of Oregon
No. 356736

10-30-87

1-2

m

DEC 18 1987

Highway Division
File 54963
Proj. No. F-27-2(29)
Map No. 1A-18-33

The true and actual consideration received by Grantor for this conveyance is
\$35,000.00-----.

Dated this 11th day of November, 1987.

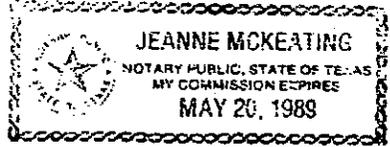
**THE PARK CITY CORPORATION
LIQUIDATING TRUST**

By *James H. Paulin, Jr.*
Title Trustee

TEXAS
STATE OF ~~OREGON~~, County of HARRIS

November 11, 1987. Personally appeared James H. Paulin, Jr.,
who, being sworn, stated that he is the Trustee of The
Park City Corporation Liquidating Trust, and that this instrument was voluntarily
signed in behalf of the Trust corporation by authority of its Liquidating Trust Agreement
~~Board of Directors~~. Before me:

Jeanne McKeating
Notary Public for ~~OREGON~~ Texas
My Commission expires 5/20/89



10-30-87
Page 2 - Deed
slb/vi

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

2

1987 DEC 22 A:11:02

32-222

KNOW ALL MEN BY THESE PRESENTS, That CENTURY WEST CORPORATION, an Oregon Corporation, duly organized and existing under the laws of the State of Oregon, in consideration of Ten and No/100 (\$10.00) Dollars, and other good and valuable consideration to it paid by the PARK CITY CORPORATION, an Oregon corporation, does hereby grant, bargain, sell and convey to said Park City Corporation, its heirs and assigns forever, the following real property, with the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining; and also all its estate, right, title and interest, at law and equity, therein and thereto, situated in the County of Washington, and State of Oregon, bounded and described as follows, to-wit:

PARCEL I: A tract of land in Section 23, Township 1 North, Range 2 West, W.M., Washington County, Oregon, described as follows:

x
11

Beginning at an iron rod on the South line of County Road No. 1059 and the West line of the John S. White D.L.C. No. 51, which is South 0° 23' 59" West 20.0 feet from a stone at the Northwest corner of said D.L.C.; thence South 88° 02' 47" East 1306.21 feet along the South line of County Road No. 1059 to an iron rod on the West line of County Road No. 1172; thence South 27° 38' 16" West 43.93 feet along the West line of County Road No. 1172 to an iron pipe; thence along the West line of County Road No. 1172, 251.77 feet along the arc of a 650.32 foot radius curve to the left and a central angle of 23° 21" to an iron pipe; thence South 4° 17' 16" West 211.90 feet along the West line of County Road No. 1172 to an iron pipe; thence along the West line of County Road No. 1172 a distance of 162.05 feet along the arc of a 1276.73 foot radius curve to the left and a central angle of 07° 18' 25" to an iron pipe; thence South 03° 01' 09" East 261.66 feet along the West line of County Road No. 1172 to an iron rod on the North line of the Oregon State Highway (Sunset Highway); thence North 60° 05' 18" West 1399.51 feet along the North line of said State Highway to the West line of the John S. White D.L.C. No. 51; thence North 0° 23' 59" East 250.77 feet along the West line of said D.L.C. to the place of beginning.

PARCEL II: A tract of land in Section 23, Township 1 North, Range 2 West, W.M., Washington County, Oregon, described as follows:

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Beginning at a stone at the Southwest corner of the John S. White D.L.C. No. 51; thence North 0° 23' 59" East 931.74 feet along the West line of the John S. White D.L.C. to a point on the South line of the Oregon State Highway (Sunset Highway); thence South 60° 05' 18" East 1229.37 feet along the South line of said highway to an iron rod; thence South 29° 54' 42" West 135.17 feet to an iron rod; thence 369.34 feet along the arc of a 172.0 radius curve to the left with a central angle of 122° 55' 51" to an iron rod; thence North 86° 58' 51" East 92.0 feet to an iron on the West line of County Road No. 1172; thence South 03° 01' 09" East 229.57 feet along the West line of County Road No. 1172 to a point on the South line of the John S. White D.L.C. No. 51; thence North 77° 32' 40" West 1297.37 feet along said South line to the place of beginning.

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PARCEL III: A tract of land in Section 23, Township 1 North, Range 2 West, W.M., Washington County, Oregon, described as follows:

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Beginning at an iron rod on the North line of the John S. White D.L.C. No. 51 and the East line of the Oregon Electric Railroad right of way, said iron being South 88° 02' 47" East 1667.56 feet from the stone at the Northwest corner of said John S. White D.L.C.; thence South 88° 02' 47" East 144.02 feet along the North line of said D.L.C. to an iron at the Northwest corner of that tract conveyed to the Bonneville Power Administration by deed recorded in Deed Book 398, page 60; thence South 02° 56' 16" West 1251.00 feet along the West line of said Bonneville tract to an iron on the North line of the Oregon State Highway (Sunset Highway); thence North 60° 05' 18" West 20.56 feet along said right of way to an iron pipe; thence North 29° 54' 42" East 30.0 feet along the North right of way of said highway to an iron; thence North 60° 05' 18" West 150.29 feet along the North line of said highway to an iron pipe on the East line of the Oregon Electric Railroad right of way; thence North 02° 56' 16" East 1141.57 feet along the East line of said right of way to the place of beginning.

642/554

EXHIBIT B

FINDINGS IN SUPPORT HIGHWAY 26 RIGHT-OF-WAY ANNEXATION FILE NO. AN 17-04

I. BACKGROUND INFORMATION AND SITE DESCRIPTION

Two petitioners representing two properties requested City Council approval for annexation of approximately 5.73 acres into the City Limits of Hillsboro.

The properties under consideration are located generally north of Sunset Highway 26 and east of NW Cornelius Pass Road. The properties can be specifically identified as Tax Lots 801 and 901 on Washington County Tax Assessor's Map 1N2-23. The properties are publicly owned and maintained; therefore they have no assessed property value.

The properties steeply slope to the southeast with little vegetation.

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 5, 2004.

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 properties are identified as being within Urban Area B of the Urban Planning Area Agreement (UPAA) between Washington County and the City of Hillsboro, adopted on December 15, 1998. The UPAA states:

- 1) The City has identified Area B as a potential area for annexation and the future provision of urban services by the City. Area B includes only those unincorporated properties within the Regional Urban Growth Boundary, and does not include any properties within other cities.
- 2) In Area B, the City will continue its current annexation policy, under which property owners interested in annexation are welcome to contact the City for whatever information and assistance they need to initiate and complete the annexation process.
- 3) Upon annexation within Area B, the City will initiate Comprehensive Plan Land Use and Transportation Map changes on recently annexed properties, to City land use designations and functional street classifications corresponding as closely as possible to those designations and classifications already adopted by Washington County for those properties
- 4) The City will negotiate with the service districts currently providing urban services to properties in Area B, and will address service provision issues on an individual basis upon receipt of petitions for annexation. The City will work toward formal long-term service agreements with each affected service district and shall consider Area B in all facility plans.

Annexation of the properties would be consistent with the UPAA, and allow the petitioners the ability to further develop their properties.

- 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. Upon annexation, the City will initiate a Minor Comprehensive Plan Land Use Change to IN – Industrial, which is consistent with the urban growth goals and objectives, and the Urban Planning Area Agreement. If the Plan Change were approved, the property would be rezoned to M-P Industrial Park pursuant to Section 97 of Hillsboro Zoning Ordinance No. 1945, unless the property owners applied for a different industrial zone.

- 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 twelve-inch City sanitary sewer line located on the southern portion of the properties.

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 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 20, 2004.



AN 17-04: HIGHWAY 26 RIGHT-OF-WAY

