

Final Documents

For

Annexation to the  
**City of Tualatin**

WA7304

Ordinance 1174-04

DOR 34-1708-2004

Sec. State: AN-2004-0261

Final to Secretary of State: \_\_\_\_\_

Signature:

 \_\_\_\_\_

Date of

Mailing: \_\_\_\_\_ 12/7/04 \_\_\_\_\_

WA7304

Sent

Received

DOR:

by City

12/3/04

Sec. State:

12/7/03

12/8/04

Assessor:

12/7/03

Elections:

12/7/03

Mapped:

Yes

Address Information:

2S115DA00300

10605 SW Hazelbrook Rd

# Proposal No. WA7304

2S1W15

Annexation to the City of Tualatin

Washington Co.



Area to be Included

300

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

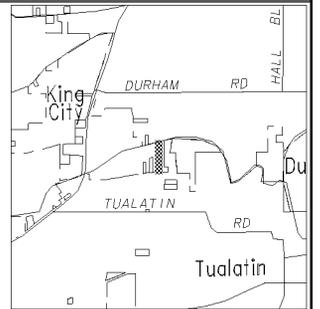
City

Annexation boundary

Urban Growth Boundary

Proposal No. WA7304  
CITY OF TUALATIN  
Figure 1

Scale: 1" = 500'



Office of the Secretary of State

Bill Bradbury  
Secretary of State



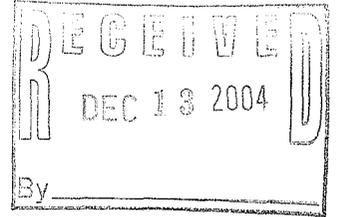
Archives Division  
ROY TURNBAUGH  
Director

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

Facsimile (503) 373-0953

December 8, 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 8, 2004, the following records annexing territory to the following:

Ordinance/Resolution Number(s)	Our File Number
ORD NO 1174-04	AN 2004-0261 (City of 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: 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 Tualatin  
Finance Director  
18880 SW Martinazzi Ave.  
Tualatin, OR 97062-7099

**Description and Map Approved**  
**November 22, 2004**  
**As Per ORS 308.225**

Description     Map received from: CITY  
On: 11/16/2004

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

ANNEX TO CITY OF TUALATIN; WITHDRAW FROM WASH. CO. ENH. SPD & CO.  
URBAN RD MAINT. DIST.

ORD. #1174-04 (ANN 04-08)

has been:     Approved            11/22/2004  
                   Disapproved

Notes:

Department of Revenue File Number: 34-1708-2004

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
- Establishment of Tax Zone

CITY OF TUALATIN  
RECEIVED

NOV 30 2004

COMMUNITY DEVELOPMENT  
PLANNING DIVISION

ORDINANCE NO. 1174-04

ANN-04-08 – AN ORDINANCE ANNEXING TERRITORY LOCATED AT 10605 SW HAZELBROOK ROAD IDENTIFIED AS TAX MAP 2S115DA TAX LOT 300 AND ABUTTING HAZELBROOK ROAD RIGHT-OF-WAY TO THE CENTERLINE INTO THE CITY OF TUALATIN AND WITHDRAWING THE TERRITORY FROM THE WASHINGTON COUNTY ENHANCED SHERIFF PATROL DISTRICT AND THE COUNTY URBAN ROAD MAINTENANCE DISTRICT (TAX MAP 2S1 15DA, TAX LOT 300)

WHEREAS upon the application of Jeff Thierfelder of Myhre Group Architects, a public hearing was held before the City Council of the City of Tualatin on October 25, 2004, relating to annexing territory located at 10605 SW Hazelbrook Road and the Hazelbrook Road right-of-way to the centerline into the City of Tualatin and withdrawing the territory from the Washington County Enhanced Sheriff Patrol District and the County Urban Road Maintenance District (Tax Map 2S1 15AD – Tax Lot 300); and

WHEREAS notice of public hearing was given as required by posting a copy of the notice in two public and conspicuous places within the City, which is evidenced by the Affidavit of Posting, marked "Exhibit A," attached and incorporated by this reference; by mailing to property owners within 300 feet of the subject property, which is evidenced by the Affidavit of Mailing marked "Exhibit B," attached and incorporated by this reference; and

WHEREAS the City of Tualatin is authorized to annex territory by ORS Chapter 222; and

WHEREAS the subject territory qualifies for annexation under ORS 222.125; and

WHEREAS the annexation of the territory has been requested by 100 percent of the property owners; and

WHEREAS the annexation of the territory has been requested by 100 percent of the electors; and

WHEREAS the applicant has requested an Expedited Annexation process in accordance with Metro Code Chapter 3.09.045; and

WHEREAS Washington County has not opposed the annexation in accordance with the Urban Planning Area Agreement between the County and the City of Tualatin; and

WHEREAS Metro does not oppose the annexation; and

WHEREAS the annexation is consistent with the regional urban growth goals and objectives, functional plans, and regional framework plan adopted by Metro; and

WHEREAS the annexation as described in the property description which is marked "Exhibit C," attached and incorporated by this reference, is consistent with the Tualatin Community Plan; and

WHEREAS the subject territory is in the Washington County Enhanced Sheriff Patrol District and the County Urban Road Maintenance District; and

WHEREAS ORS 222.520(1) authorizes cities to withdraw territory from districts concurrent with the annexation decision; and

WHEREAS the annexation implements the extension of public facilities; and

WHEREAS the Council conducted a public hearing on September 27, 2004, and heard and considered the testimony and evidence presented by the City staff and those appearing at the public hearing; and

WHEREAS after the conclusion of the public hearing the Council vote resulted in approval of the application 7-0, with all Council members present; and

WHEREAS based upon the evidence and testimony heard and considered by the Council and especially the City staff report dated October 25, 2004, which is marked "Exhibit D," attached and incorporated by this reference; and

WHEREAS based upon the foregoing Findings of Fact, the City Council finds that it is in the best interest of the residents and inhabitants of the City and the public; the public interest will be served by annexing the property at this time; and the annexation conforms with the Tualatin Community Plan; and therefore, the property should be annexed. Therefore,

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Section 1. The property described in "Exhibit C" is annexed to the City of Tualatin.

Section 2. The abutting SW Hazelbrook Road right-of-way to the centerline is annexed to the City of Tualatin.

Section 3. The annexation to the City of Tualatin is effective December 9, 2004.

Section 4. The property described in "Exhibit C" and the abutting SW Hazelbrook Road right-of-way to the centerline are withdrawn from the Washington County Enhanced Sheriff Patrol District.

Section 5. The withdrawal of the territory is effective December 9, 2004.

Section 6. The property described in "Exhibit C" and the abutting SW Hazelbrook Road right-of-way to the centerline are withdrawn from the County Urban Road Maintenance District.

Section 7. The withdrawal of the territory is effective December 9, 2004.

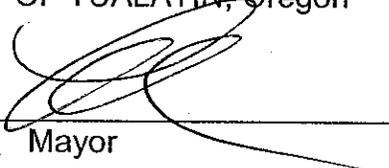
Section 8. The City Recorder is directed to forward copies of this ordinance to Metro within five days of receipt of the required information from the Oregon State Department of Revenue.

Section 9. The City Recorder is directed to forward copies of this Ordinance and all other required materials to all public utilities and telecommunications utilities operating within the City in accordance with ORS 222.005.

INTRODUCED AND ADOPTED THIS 8<sup>th</sup> day of November 2004.

CITY OF TUALATIN, Oregon

By

  
\_\_\_\_\_  
Mayor

ATTEST:

By

  
\_\_\_\_\_  
City Recorder

# W.B. Wells & Associates, Inc.

Surveyors • Engineers • Planners



Exceptional Service,  
Creative Solutions,  
Quality Beyond  
Your Expectations

## AREA TO BE ANNEXED:

That tract of land described in Deed to Robert E. and Mary C. Bosak recorded July 25, 1990 in Document 90-39226, being a portion of Lot 26, "HAZELBROOK FARM", Washington County, Oregon, more particularly described as follows:

Beginning at the Southwest corner of said Lot 26; thence Easterly along the South line of said Lot 26, a distance of 163 feet, more or less, to a point that is South 0°09' East, a distance of 30 feet, more or less, from the Southwest corner of that tract of land conveyed to Jefferson G. Bell, et ux, by deed recorded October 8, 1963, in Book 497, Page 205, Washington County, Oregon, Deed Records; thence North 0°09' West, a distance of 30 feet, more or less, to the Southwest corner of said Bell tract of land; thence continuing North 0°09' West, along the West line of said Bell tract of land, a distance of 820.21 feet to the Northwest corner thereof; thence North 87°30' West, a distance of 49 feet, more or less, to a point that is South 87°30' East, a distance of 114 feet from the West line of said Lot 26; thence Northerly, parallel with the West line of said Lot 26, a distance of 530 feet, more or less, to the North line of said Lot 26, in the center of the Tualatin River; thence Westerly along the said North line of Lot 26, a distance of 114 feet, more or less, to the Northwest corner of said Lot 26; thence Southerly along the West line of said Lot 26, a distance of 1,340 feet, more or less, to the point of beginning.

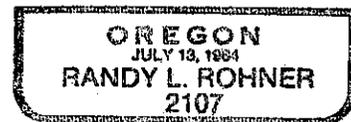
CITY OF TUALATIN  
RECEIVED

AUG 16 2004

COMMUNITY DEVELOPMENT  
PLANNING DIVISION



*R. L. Rohner*



EXP. 12-31-04

CENTER OF  
THE TUALATIN  
RIVER

114' +/-

530' +/-

114'

N87°30'W  
49' +/-

1340' +/-

820.21'  
N00°09'W

30.00'  
+/-

163' +/-

SW HAZLEBROOK RD.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*RR*

OREGON  
JULY 13, 1984  
RANDY L ROHNER  
#2107

EXPIRES 12-31-04



CITY OF TUALATIN  
RECEIVED

AUG 16 2004

COMMUNITY DEVELOPMENT  
PLANNING DIVISION



**W.B. WELLS**  
**and associates, inc.**

ENGINEERS-SURVEYORS-PLANNERS  
4230 NE FREMONT STREET  
PORTLAND, OREGON 97213

PHONE: (503) 284-5896 FAX: (503) 284-8530  
e-mail address: info@wbwells.com

### ANNEXATION MAP

THAT TRACT OF LAND DESCRIBED IN DEED  
TO ROBERT E. AND MARY C. BOSAK  
RECORDED 7-25-1990 IN DOCUMENT  
NUMBER 90-39226, WASHINGTON COUNTY  
DEED RECORDS

DRAWN BY: BB
DATE: 7/8/04
CHECKED BY: RR
SCALE: 1"=200'
JOB NO: 04-192
FILE: P:\DATA_SHARE\04\ 04-4192\04192ANNEX.DWG

WARRANTY DEED - STATUTORY FORM  
(Individual - Corporation)

90-39226  
Washington County

ERIC J. ANDERSON and GEORGIA L. ANDERSON

Grantor, conveys and warrants to:

ROBERT E. BOSAK and MARY C. BOSAK husband and wife

Grantee, the following described real property free of encumbrances except as specifically set forth herein:

SEE ATTACHED DESCRIPTION SHEET

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.

ENCUMBRANCES

POWER OF ASSESSMENT OF THE UNIFIED SEWERAGE AGENCY OF WASHINGTON CO. RIGHTS OF THE PUBLIC IN AND TO THAT PORTION OF THE PREMISES HEREIN DESCRIBED LYING WITHIN THE LIMITS OF SW HAZELBROOK RD. (COUNTY RD 1373). RIGHTS OF THE PUBLIC AND OF GOVERNMENTAL BODIES IN AND TO THAT PORTION OF THE PREMISES HEREIN DESCRIBED LYING BELOW THE HIGH WATER MARK OF TUALATIN RIVER. ANY ADVERSE CLAIMS BASED UPON THE ASSERTION THAT TUALATIN RIVER HAS MOVED. ANY ADVERSE CLAIMS BASED UPON THE ASSERTION THAT ANY PORTION OF SAID LAND HAS BEEN CREATED BY ARTIFICIAL MEANS OR HAS ACCRETED TO SUCH PORTIONS SO CREATED. EASEMENT RECORDED DECEMBER 13, 1978, FEE NO. 78054452; EASEMENT RECORDED MAY 04, 1979, FEE #790170210; FACILITIES DEVELOPMENT FEE OF RECORD.

The true consideration for this conveyance is \$135,000.00.

Dated this July 20, 1990 ; if a corporate grantor, it has caused its name to be signed by order of its board of directors.

Eric J. Anderson  
ERIC J. ANDERSON

Georgia L. Anderson  
GEORGIA L. ANDERSON

CHICAGO TITLE INSURANCE COMPANY

STATE OF OREGON,  
County of Washington )  
July 20, 1990 ) ss. DATE



WASHINGTON COUNTY  
REAL PROPERTY TRANSFER TAX  
\$ 135.00 7-25-90  
FEE PAID DATE

Personally appeared the above named ERIC J. ANDERSON and GEORGIA L. ANDERSON acknowledging the foregoing instrument to be his/her/their voluntary act and deed.

Mary D. McQuay  
Notary Public for Oregon  
My commission expires: 7/15/92

After recording, return and send tax statements to:

ROBERT E. BOSAK  
10605 S.W. Hazelbrook  
Tualatin, Oregon 97062

CITY OF TUALATIN  
RECEIVED

AUG 16 2004

COMMUNITY DEVELOPMENT  
PLANNING DIVISION

Escrow No. 320007276 MM - Order No. W72762

JUL 25 1990

W72762

135  
C.T.

DESCRIPTION

2S1 15DA 00300

A portion of Lot 26, HAZELBROOK FARM, Washington County, Oregon, more particularly described as follows:

Beginning at the southwest corner of said Lot 26; thence Easterly along the south line of said Lot 26, a distance of 163 feet, more or less, to a point that is South 0° 09' East a distance of 30 feet, more or less, from the southwest corner of that tract of land conveyed to Jefferson G. Bell, et ux, by deed recorded October 8, 1963, in Book 497, Page 205, Washington County, Oregon Deed Records; thence North 0° 09' West a distance of 30 feet, more or less, to the southwest corner of said Bell tract of land; thence continuing North 0° 09' West along the west line of said Bell tract of land a distance of 820.21 feet to the northwest corner thereof; thence North 87° 30' West a distance of 49 feet, more or less, to a point that is South 87° 30' East a distance of 114 feet from the west line of said Lot 26; thence Northerly parallel with the west line of said Lot 26, a distance of 530 feet, more or less, to the north line of said Lot 26, in the center of the Tualatin River; thence Westerly along the said north line of Lot 26, a distance of 114 feet, more or less, to the northwest corner of said Lot 26; thence Southerly along the west line of said Lot 26, a distance of 1340 feet, more or less, to the point of beginning.

TOGETHER WITH an easement for roadway purposes over the following described tract of land:

Beginning at the northwest corner of that tract of land in Lot 26, HAZELBROOK FARM, Washington County, Oregon conveyed to Jefferson G. Bell, et ux, by deed recorded October 8, 1963, in Book 497, Page 205, Washington County, Oregon Deed Records; thence North 87° 30' West a distance of 49 feet, more or less, to a point that is East a distance of 114 feet from the west line of said Lot 26; thence North parallel with the west line of said Lot 26 a distance of 50 feet; thence South 87° 30' East, a distance of 229 feet, more or less, to the east line of said Lot 26; thence South along the east line of said Lot 26, a distance of 856 feet, more or less, to the North boundary of Hazelwood Road (County Road 1373); thence West along the north boundary line of said road a distance of 50 feet, more or less, to the southeast corner of said Bell tract of land; thence North 0° 09' West along the east line of said Bell tract of land a distance of 809.54 feet to the northeast corner thereof; thence North 87° 30' West along the north line of said Bell tract of land a distance of 130 feet to the point of beginning.

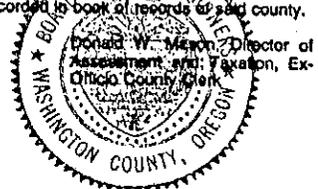
CITY OF TUALATIN  
RECEIVED

AUG 16 2004

COMMUNITY DEVELOPMENT  
PLANNING DIVISION

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 has received and recorded in book of records of said county.



Doc : 90039226  
Rect: 37179 173.00  
07/25/1990 02:47:35PM

2

0001707

JUL 25 1990

AUG 16 2004

COMMUNITY DEVELOPMENT  
PLANNING DIVISION

FORM No. 623--WARRANTY DEED

STEVENS NESS LAW PUB CO PORTLAND, ORE.

SA 4833

KNOW ALL MEN BY THESE PRESENTS, That  
PAUL M. McFARLAND and ARLENE McFARLAND, husband and wife  
hereinafter called the grantor,  
in consideration of TEN and NO/100 - - - - - (\$10.00) Dollars,  
and other valuable considerations  
to grantor paid by JEFFERSON G. BELL and MARJORIE L. BELL, husband and wife  
hereinafter called the grantee,  
does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs and assigns, that  
certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or apper-  
taining, situated in the State of Oregon and the county therein named below, described as follows, to-wit:

A parcel of land in Section 15, Township 2 South, Range 1 West, W.M.,  
being a portion of Lot 26, HAZELBROOK FARM, and more particularly  
described as follows:

Beginning at an iron pipe marking the quarter corner between Section  
14 and 15 and running thence North 87° 30' West 130.00 feet to an iron  
rod; thence South 0° 09' East 50.00 feet to an iron rod and true point of  
beginning of the parcel herein described; thence South 0° 09' East  
320.21 feet to an iron rod on the North boundary of Tualatin Road.  
(County Road 1065); thence North 87° 48' East 130.00 feet along the  
said North boundary of said road to an iron rod; thence North 0° 05'  
West 309.54 feet parallel to the section line between Sections 14 and  
15 to an iron rod; thence North 87° 30' West 130.00 feet to an iron rod  
and true point of beginning of the parcel herein described. - - - - -

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

And said grantor hereby covenants to and with said grantee and grantee's heirs and assigns, that  
grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances  
EXCEPT, Rights of the public in and to any portion thereof lying within  
the boundaries of roads and highways.

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

In construing this deed and where the context so requires, the singular includes the plural.  
WITNESS grantor's hand and seal this 10th day of September 1963

*Paul M. McFarland* (SEAL)  
*Arlene McFarland* (SEAL)  
..... (SEAL)  
..... (SEAL)

(ORS 93.490)

STATE OF OREGON, County of Washington ) ss. September 30, 1963  
Personally appeared the above named Paul M. McFarland and Arlene McFarland,  
husband and wife  
and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:  
*[Signature]*  
Notary Public for Oregon  
My commission expires August 22, 1964

WARRANTY DEED  
Paul M. McFarland et ux

STATE OF OREGON,  
County of Washington,  
I, Roger Thomassen, County Clerk, and Ex-Officio  
Recorder of Conveyances and County Assessor  
County of Washington

633

... certain real property, with the tenements, hereditaments and appurtenances thereto in any way connected therewith, situated in the State of Oregon and the county therein named below, described as follows, to-wit:

A parcel of land in Section 15, Township 2 South, Range 1 East, W.M., being a portion of Lot 26, HAZELBROOK FARM, and more particularly described as follows:

Beginning at an iron pipe marking the quarter corner between Section 14 and 15 and running thence North 87° 30' West 180.00 feet to an iron rod; thence South 0° 09' East 50.00 feet to an iron rod and true point of beginning of the parcel herein described; thence South 0° 09' East 520.21 feet to an iron rod on the North boundary of Tualatin Road. (County Road 1065); thence North 87° 48' East 130.00 feet along the said North boundary of said road to an iron rod; thence North 0° 05' West 509.54 feet parallel to the section line between Sections 14 and 15 to an iron rod; thence North 87° 30' West 180.00 feet to an iron rod and true point of beginning of the parcel herein described. - - - - -

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

And said grantor hereby covenants to and with said grantee and grantee's heirs and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances EXCEPT, Rights of the public in and to any portion thereof lying within the boundaries of roads and highways.

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

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS grantor's hand and seal this 18th day of September, 1963.

OFFICE OF TUALATIN RECEIVED

AUG 16 2004

COMMUNITY DEVELOPMENT PLANNING DIVISION

(ORS 93.490)

STATE OF OREGON, County of Washington ) ss. September 18, 1963

Personally appeared the above named Paul M. McFarland and Arlene McFarland, husband and wife

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

Before me:

Notary Public for Oregon

My commission expires August 22, 1964

(SEAL)

WARRANTY DEED

Paul M. McFarland et ux

TO

Jefferson G. Bell et ux

AFTER RECORDING RETURN TO

(DON'T USE THIS SPACE! RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.)

STATE OF OREGON, County of Washington

I, Roger Thomssen, County Clerk, and Ex-Officio Recorder of Conveyances for said county, do hereby certify that the within instrument of writing was received and recorded in book 497 Deed in the Records of said County.

Witness my hand and seal affixed.

ROGER THOMSSON, County Clerk

Deputy

OCT 8 3 29 PM '63

Argus 995-A

BOOK 497 PAGE 205

4633

No.

150

633