

City of Sherwood, Oregon

RESOLUTION NO. 89-431

A RESOLUTION INITIATING ANNEXATION TO THE CITY OF SHERWOOD OF A CONTIGUOUS TERRITORY OF 72.29 ACRES, MORE OR LESS, SAID TERRITORY MORE PARTICULARLY DESCRIBED AS:

A tract of land in Section 31, Township 2 South, Range 1 West and in Section 6, Township 3 South, Range 1 West and in Section 36, Township 2 South, Range 2 West of the Willamette Meridian, Washington County, Oregon described as follows: beginning at the intersection of the south line of said Section 31 with the southeasterly line of the Southern Pacific Railroad; thence northeasterly, 2000 feet more or less to the north line of southwest Wilsonville Road (County Road 441); thence west along said north line 1270 feet more or less to the northeast corner of that certain tract of land described in Boundary Commission Final Order No. 2455 dated 17 December, 1987; thence south 460 feet more or less to the southeast corner of said tract; thence west 410 feet more or less to the southwest corner of said tract; thence north 460 feet more or less to the northwest corner of said tract and the north line of said Wilsonville road; thence west along said north line 1570 feet, more or less to the intersection with the northerly extension of the west line of S.W. Middleton Road (County Road No. 176); thence south along the said west line of S.W. Middleton Road 905 feet, more or less to the westerly extension of the north line of that tract of land described in deed to Miller, recorded in Book 508 at page 323, Washington County Deed Records; thence east along the said westerly extension and north line of said Miller Tract 240 feet, more or less to the northeast corner thereof; thence south along the east line of said Miller Tract 520 feet more or less to the north line of Harrison Street in the plat of Middleton; thence east 650 feet more or less to the east line of said plat; thence south along the east line of said plat 80 feet more or less to the south line of that tract of land described in deed recorded under recording No. 88-21362; thence east along said south line 400 feet more or less to the northerly line of the Southern Pacific Railroad; thence northeasterly along said northerly line 350 feet more or less to the south line of said Section 31; thence east 150 feet more or less to the point of beginning.

WHEREAS, annexation to the City of the territory so bounded would constitute a "minor boundary change" under boundary commission law, ORS 199.410 to 199.510; and

WHEREAS, by authority of ORS 199.490 (2)(a)(B) the City Council may initiate the annexation of this territory; and

WHEREAS, this is a "double majority" annexation of 72.29 acres, more or less, with 100% of the registered voters and 100% of the property owners in the territory having executed signed consents; and

NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:


Section 1: Annexation Initiated. The City Council, pursuant to ORS 199.490 (2)(a)(B) hereby initiates proceedings for annexation of this territory, including portions of adjacent street and railroad rights-of-way.

Section 2: Annexation Approved. The City Council hereby APPROVES the proposed annexation, and requests approval by the Portland Metropolitan Area Local Government Boundary Commission.

Section 3: Transmittal. The City Recorder is hereby directed to file with the Boundary Commission a certified copy of this Resolution, and all supporting documentation, provided that the private parties involved in the annexation have submitted the required Boundary Commission fees, legal description, and consent certifications.

Section 4: This Resolution shall be effective upon approval and adoption.

Dated this 12th day of April, 1989



Norma Jean Oyler, Mayor

Attest:



Polly Blankenbaker, Recorder

1. EXISTING CONDITIONS IN AREA TO BE ANNEXED

A. Land Area: Acres 72.29 or Square Miles _____

B. General description of territory. (Include topographic features such as slopes, vegetation, drainage basins, floodplain areas, which are pertinent to this proposal).

Gently rolling hills, open area with grasses and low vegetation. Nut orchard on extreme west of area. Wooded along south boundary of territory.

C. Describe land uses on surrounding parcels. Use tax lots as reference points.

North: Scattered single-family on large acerages

East: Vacant and industrial development

South: Single family on old township lots

West: Single family on acerages

D. Existing Land Use:

Number of single family units 1 Number of multi-family units 0

Number commercial structures 0 Number industrial structures 0

Public facilities or other uses 0

What is the current use of the land proposed to be annexed:

Primarily vacant and/or agricultural. One single family residence.

E. Total current year Assessed Valuation \$428,500

F. Total existing population 2

II. REASON FOR BOUNDARY CHANGE

A. ORS 199.462 of the Boundary Commission Act states: "When reviewing a boundary change, a boundary commission shall consider economic, demographic, and sociological projections pertinent to the proposal, and past and prospective physical developments of land that would directly or indirectly be affected by the proposed boundary change." Considering these points, please provide the reasons the proposed boundary change should be made. Please be very specific. Use additional pages if necessary. (This information is often quoted in the Staff Report, so be thorough and complete)

Will allow development of a residential Planned Unit Development in conjunction with other land currently within the Sherwood city limits.

are the plans for future development: be specific. Describe type (residential, industrial, commercial etc.), density, etc.

Residential Planned Unit Development in conjunction with other lands
already within City of Sherwood.

III. LAND USE AND PLANNING

A. Is the subject territory to be developed at this time? Yes

B. Generally describe the anticipated development (building types, facilities, number of units).
500 - 600 residential dwelling units situated around an eighteen
hole golf course with a club house, pro shop and other support services
(including area already in the City).

C. If no development is planned at this time, will approval of this proposal increase the development potential of the property? _____ If so, please indicate in terms of allowable uses, number of units).

N/A

D. Does the proposed development comply with applicable regional, county or city comprehensive plans? Please describe.
Area to be annexed is zoned Special Industrial (SI). Application to rezone
to Low Density Residential (LDR) will follow completion of annexation.

E. What is the zoning on the territory to be served?
Low Density Residential (LDR) and Special Industrial (SI).

F. Please indicate all permits and/or approvals from a City, County, or Regional Government which will be needed for the proposed development. If already granted, please indicate date of approval and identifying number:

<u>Approval</u>	<u>Project File #</u>	<u>Date of Approval</u>	<u>Future Requirement</u>
Metro UGB Amendment	_____	_____	_____
City or County Plan Amendment	_____	_____	_____
Pre-Application Hearing (City or County)	_____	_____	_____
Zone Change (City)	_____	_____	X
Preliminary Subdivision Approval	_____	_____	X
Final Plat Approval	_____	_____	X
Land Partition	_____	_____	_____
Conditional Use	_____	_____	_____
Variance	_____	_____	_____
Sub-Surface Sewage Disposal	_____	_____	_____
Building Permit	_____	_____	X

G. Can the proposed development be accomplished under current county zoning?

Yes _____ No X _____

If No,---has a zone change been sought from the county either formally or informally.

Yes _____ No X _____

Please describe outcome of zone change request if answer to previous question was Yes.

H. Is the proposed development compatible with the city's comprehensive land use plan for the area?

Yes _____ No _____ City has no Plan for the area Will require rezoning from SI to as the proposed development been discussed either formally or informally with any of the following? (Please indicate)

City Planning Commission X _____ City Planning Staff X _____

City Council X _____ City Manager X _____

Please describe the reaction to the proposed development from the persons or agencies indicated above.

City supports annexation in order to facilitate consideration of the necessary rezoning, service extensions, and platting needed prior to development.

I. If a city and/or county-sanctioned citizens' group exists in the area of the annexation, please list its name and the name and address of a contact person.

CPO #5

IV. SERVICES AND UTILITIES

A. If the reason for the annexation is to obtain specific municipal services such as water service, sewerage service, fire protection, etc., please indicate the following:

1. Proximity of facilities (such as water mains, sewer laterals, storm drains, etc.) to the territory to be annexed. (Please indicate location of facilities--for example: 8" water main in Durham Rd. 500' from east edge of territory). Please indicate whose facilities they are and whether in fact these facilities will be the ones actually providing service to the area. If the facilities belong to another governmental entity, explain the agreement by which they will provide the service and what the city's policy is on subsequent withdrawal and/or compensation to the other unit.

Water and sewer utilities are constructed to the eastern boundary of the proposed development.

2. The time at which services can be reasonably provided by the city or district. Services will be extended at time of development.
3. The estimated cost of extending such facilities and/or services and what is to be the method of financing. (Attach any supporting documents.)
Costs unknown, but will be borne by developer.
4. Availability of the desired service from any other unit of local government. (Please indicate the government.)
N/A

B. If the territory described in the proposal is presently included within the boundaries of any of the following types of governmental units, please so indicate by stating the name or names of the governmental units involved:

City <u>Sherwood</u>	Rural Fire Dist. <u>Tualatin Valley</u>
County Service Dist. <u>-</u>	Sanitary District <u>Unified Sewerage</u>
Hwy. Lighting Dist. <u>-</u>	Water District <u>City</u>
Grade School Dist. <u>Sherwood</u>	Drainage District <u>-</u>
High School Dist. <u>Sherwood</u>	Diking District <u>-</u>
	Park & Rec. Dist. <u>-</u>

C. If any of the above units are presently servicing the territory (for instance, are residences in the territory hooked up to a public sewer or water system), please so describe.

N/A

APPLICANT'S NAME Paul DeBoni

MAILING ADDRESS Paul DeBoni and Associates
112 West 11th Street
Vancouver, WA. 98660

TELEPHONE NUMBER (503) 241-0149 (Work)
(503) 292-8347 (Res.)

REPRESENTING: Ronald E. Dyckes and others.

DATE: 3/13/89

P E T I T I O N S I G N E R S

NOTE: This petition may be signed by qualified persons even though they may not know their property description or precinct number.

SIGNATURE	PRINTED NAME	I AM A:*			ADDRESS	PROPERTY DESCRIPTION				PRECINCT #	DATE
		PO	RV	OV		LOT#	1/4 SEC.	T	R		
<i>Ronald E. Dyckes</i>	Ronald E. Dyckes	X			3208 SE 13th Ave. Portland, OR 97202	501	31D	2S	1		3/15/89
<i>Ronald E. Dyckes</i>	Ronald E. Dyckes	X			3208 SE 13th Ave. Portland, OR 97202	700	31C	2S	1		3/15/89
<i>Ronald E. Dyckes</i>	Ronald E. Dyckes	X			3208 SE 13th Ave. Portland, OR 97202	100	31CC	2S	1		3/15/89
<i>Jesse W. Rogers Sally L. Rogers</i>	Jesse W. Rogers Sally L. Rogers			X	Rt. 5, Box 61A Sherwood, OR 97140	200	31CC	2S	1	3	3/15/89
<i>Jesse W. Rogers Sally L. Rogers</i>	Jesse W. Rogers Sally L. Rogers			X	Rt. 5, Box 61A Sherwood, OR 97140	300	31CC	2S	1	3	3/15/89

* PO=Property Owner
 RV=Registered Voter
 OV=Owner Voter

PMALGBC FORM #15

PETITION FOR ANNEXATION TO THE CITY OF Sherwood, OREGON

TO: The Council of the City of Sherwood, Oregon

We, the undersigned property owners of and/or registered voters in the area described below, hereby petition for, and give your consent to, annexation of the area to the City of Sherwood. If approved by the City, we further request that this petition be forwarded to the Portland Metropolitan Area local Government Boundary Commission for the necessary procedures as prescribed by ORS 199.490(2).

A tract of land in Section 31, Township 2 South, Range 1 West and in Section 6, Township 3 South, Range 1 West and in Section 36, Township 2 South, Range 2 West of the Willamette Meridian, Washington County, Oregon described as follows: beginning at the intersection of the south line of said Section 31 with the southeasterly line of the Southern Pacific Railroad; thence northeasterly, 2000 feet more or less to the north line of southwest Wilsonville Road (County Road 441); thence west along said north line 1270 feet more or less to the northeast corner of that certain tract of land described in Boundary Commission Final Order No. 2455 dated 17 December, 1987; thence south 460 feet more or less to the southeast corner of said tract; thence west 410 feet more or less to the southwest corner of said tract; thence north 460 feet more or less to the northwest corner of said tract and the north line of said Wilsonville road; thence west along said north line 1570 feet, more or less to the intersection with the northerly extension of the west line of S.W. Middleton Road (County Road No. 176); thence south along the said west line of S.W. Middleton Road 905 feet, more or less to the westerly extension of the north line of that tract of land described in deed to Miller, recorded in Book 508 at page 323, Washington County Deed Records; thence east along the said westerly extension and north line of said Miller Tract 240 feet, more or less to the northeast corner thereof; thence south along the east line of said Miller Tract 520 feet more or less to the north line of Harrison Street in the plat of Middleton; thence east 650 feet more or less to the east line of said plat; thence south along the east line of said plat 80 feet more or less to the south line of that tract of land described in deed recorded under recording No. 88-21362; thence east along said south line 400 feet more or less to the northerly line of the Southern Pacific Railroad; thence northeasterly along said northerly line 350 feet more or less to the south line of said Section 31; thence east 150 feet more or less to the point of beginning.

PMALGBC FORM #16

CERTIFICATION OF PROPERTY OWNERSHIP
(Double Majority Method)

I hereby certify that the attached petition for annexation of the territory described therein to the City of Sherwood contains the names of the owners of a majority of the land area of the territory to be annexed.

NAME Daniel J. Moran
TITLE MAPPING & RECORDING DIV. MGR
DEPARTMENT ASSESSMENT AND TAXATION
COUNTY OF WASHINGTON
DATE: 4-6-89

.....
PMALGBC FORM #17

CERTIFICATION OF REGISTERED VOTERS

I hereby certify that the attached petition for annexation of territory described herein to the City of Sherwood contains the names of at least a majority of the electors registered in the territory to be annexed.

NAME D. RABINER
TITLE ELECTIONS MGR
DEPARTMENT A&T / ELECTIONS
COUNTY OF WASHINGTON
DATE 4-6-89

PMALGBC FORM #4

CERTIFICATION OF LEGAL DESCRIPTION AND MAP

I hereby certify that the description of the property included within the attached petition (located on Assessor's Map 31C, 31CC, and 31D) has been checked by me and it is a true and exact description of the property under consideration, and the description corresponds to the attached map indicating the property under consideration.

NAME Daniel J. Malan
TITLE MAPPING & RECORDING DIV. MGR.
DEPARTMENT ASSESSMENT AND TAXATION
COUNTY OF WASHINGTON
DATE: 4-6-89

PMALGBC FORM #19

(This form is NOT the petition)

ALL OWNERS OF PROPERTY AND/OR REGISTERED VOTERS INCLUDED IN BOUNDARY CHANGE PROPOSAL AREA

(To be completed IF the proposal contains 10 or fewer land owners/registered voters. Please indicate the name and address of all owners/voters regardless of whether they signed an annexation petition or not. This is for notification purposes.

	NAME OF OWNER/VOTER	ADDRESS	PROPERTY DESIGNATION (Indicate tax lot, section number, and Township Range)
(1)	Ronald D. Dykes	3208 SE 13th Avenue Portland, OR 97202	501: 2S-1-31D
(2)	Ronald D. Dykes	3208 SE 13th Avenue Portland, OR 97202	700: 2S-1-31C
(3)	Ronald D. Dykes	3208 SE 13th Portland, OR 97202	100: 2S-1-31CC
(4)	Jesse W. Rogers Sally L. Rogers	Rt. 3, Box 61A Sherwood, OR 97140	200: 2S-1-31CC
(5)	Jesse W. Rogers	Rt. 3, Box 61A Sherwood, OR 97140	300: 2S-1-31CC
(6)			
(7)			
(8)			

PMALGBC FORM #20

DOUBLE MAJORITY WORK SHEET

Please list all properties/registered voters included in the proposal.
 (If needed, use separate sheet for additional listings).

PROPERTIES

Property Designation (Tax Lot #s)	Name of Owner	Acres	Assessed Value	Signed Petition	
				Yes	No
501: 31D	Ronald E. Dyckes	14.00	\$72,400	X	
700: 31C	Ronald E. Dyckes	54.74	\$284,600	X	
100: 31CC	Ronald E. Dyckes	1.73	\$ 9,000	X	
200: 31CC	Jesse and Sally Rogers	.32	\$ 49,900	X	
300: 31CC	Jesse and Sally Rogers	1.5	\$ 12,600	X	
=====				=====	
TOTALS		72.29	\$428,500		

PMALGBC FORM #20 (continued)

REGISTERED VOTERS

ADDRESS OF REGISTERED VOTER	NAME OF REGISTERED VOTER	SIGNED PETITION	
		Yes	No
Rt. 5, Box 61A, Sherwood	Jesse W. Rogers	X	
Rt. 5, Box 61A, Sherwood	Sally L. Rogers	X	

TOTALS		2	0

SUMMARY

TOTAL NUMBER REGISTERED VOTERS IN THE PROPOSAL 2

NUMBER OF REGISTERED VOTERS WHO SIGNED 2

PERCENTAGE OF REGISTERED VOTERS WHO SIGNED 100%

TOTAL ACREAGE IN PROPOSAL 72.29

ACREAGE SIGNED FOR 72.29

PERCENTAGE OF ACREAGE SIGNED FOR 100%