



RESOLUTION 2007-015

A RESOLUTION APPROVING ANNEXATION PROPOSAL AN-07-01 AND CALLING AN ELECTION FOR CITY VOTERS AND VOTERS IN THE AREA TO BE ANNEXED TO APPROVE THIS ANNEXATION

WHEREAS, Washington County has a policy that unincorporated areas of the County should be annexed to cities so that urban services for those areas can be provided by cities as opposed to the County; and

WHEREAS, the Sherwood City Council agrees with the County annexation policy and believes that areas outside the current City boundaries and within the City Urban Growth Boundary should ultimately be annexed to the City; and

WHEREAS, the City initiated this annexation by Resolution 2007-002 under ORS 222.111; and

WHEREAS, after legal notices, a public hearing was held on this proposal for annexation by the City Council on March 6, 2007, where comments and testimony were received and considered; and

WHEREAS, the Council reviewed and considered the staff report dated February 15, 2007, prepared by Ken Martin, Annexation Consultant for the City, with proposed findings and reasons for the decision attached; and

WHEREAS, Under Section 3 of the Sherwood's Charter, annexation to the City takes place only upon voter approval. Approval of this annexation would annex of 91.42 acres to the City, comprised of 11 parcels bordered on the north by Edy Road and on the west by Elwert Road; and

WHEREAS, under the City initiated annexation procedures identified in ORS 222.111 a majority of the registered voters in the affected territory to be annexed must approve the annexation; and

WHEREAS, The affected territory currently contains eight single-family dwellings. If annexed, the area will be re-zoned and include Institutional and Public (IP), Medium Density Residential (MDRH) and Neighborhood Commercial (NC) zones.

Approximately 40 acres of the affected territory is planned for an elementary and middle school (IP), approximately 24 acres for residential (MDRH) and approximately 3 acres for commercial (NC). The remaining approximately 24 acres will be used for rights-of-way and open space.

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

Section 1. The City Council adopts Annexation Application AN 07-01, the staff report to the City Council dated February 15, 2007, and the proposed findings and conclusions and reasons for decision attached as Exhibit A.

Section 2. The City Council approves Annexation 07-01, and the annexation to the City of Sherwood of the territory legally described in Exhibit B.

Section 3. A City election on this annexation is called for May 15, 2007.

Section 4. The Washington County Elections Department will conduct the election.

Section 5. The precincts for the election are all those that include territory included within the corporate limits of the City and a separate precinct including only the affected territory to be annexed.

Section 6. The ballot title, previously adopted by the Council for the May election by Resolution 2007-012 will read as follows:

CAPTION: PROPOSAL TO ANNEX 91.42 ACRES TO SHERWOOD

QUESTION: Should 91.42 acres on the City's northwestern boundary be annexed to Sherwood?

SUMMARY: Under Sherwood's Charter, annexation to the City takes place only upon voter approval. Approval of this measure permits annexation of 91.42 acres to the City, comprised of eleven (11) parcels bordered on the north by Edy Road and on the west by Elwert Road.

The eastern, southern and northern boundaries of the proposed annexation area are contiguous to the City; if approved, the western boundary of the area will form part of the City's western boundary.

The proposed annexed area currently has eight (8) single family dwellings. If annexed, the area would be variously zoned, including Institutional and Public (IP), Medium Density Residential (MDRH) and Neighborhood Commercial (NC).

Approximately 40 acres are planned to be developed with an elementary and middle school (IP), 24 acres as residential (MDRH) and 3 acres as commercial (NC). The remaining 24 acres would be used for rights-of-way and open space.

Section 7. The City Recorder will give notice of the election in the manner required by law.

Section 8. The City Recorder is authorized to submit an impartial explanatory statement for the Washington County voters' pamphlet on behalf of the City.


Section 9. The City Recorder has previously published the ballot title in compliance with state law.

Section 10. Under ORS 222.520 and 222.120(5), the City Council declares that upon approval of the annexation by the voters the annexed territory will be withdrawn from the County Service Districts for Vector Control, Enhanced Law Enforcement and Urban Road Maintenance effective on the date this annexation takes effect.

Section 11. If this annexation takes effect, the annexed territory will be designated in accordance with the zoning adopted into the Comprehensive Plan as part of the Area 59 concept plan implementation.

Section 12. This Resolution shall take effect immediately upon its passage by the Council and signature by the Mayor.

Duly passed by the City Council this 6th day of March, 2007.



Keith S. Mays, Mayor

ATTEST:



Sylvia Murphy, City Recorder