

CITY OF SHERWOOD, OREGON

ORDINANCE NO. 702

AN ORDINANCE RATIFYING, CONFIRMING AND RECORDING CHANGE IN THE BOUNDARIES OF THE CITY OF SHERWOOD BY THE BOUNDARY COMMISSION, INVOLVING LANDS OF DONALD COCHRAN AND FAYE COCHRAN HUSBAND AND WIFE, AND OTHERS, SITUATED IN SECTIONS 28, 29, and 32 OF TOWNSHIP 2 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, IN WASHINGTON COUNTY, OREGON, RECORDING EFFECTIVE DATE, AND DECLARING AN EMERGENCY.

WHEREAS, the Portland Metropolitan Area Local Boundary Commission by its final order No. 1304 dated September 27, 1978, approved the hereinafter described change in the boundaries of the City of Sherwood and a copy of said final order has been filed with the City Recorder,

NOW, THEREFORE, THE CITY OF SHERWOOD DOES ORDAIN AS FOLLOWS:

Section 1: That the final order of the Portland Metropolitan Area Local Boundary Commission adopted on the 27th day of September, 1978, as filed with the City Recorder on the 1st day of November, 1978, a copy whereof is hereto attached and by this reference made a part hereof, be, and the same is hereby ratified, confirmed and adopted by reference to the same legal force and effect as if set forth herein in full.

Section 2: That the boundaries of the City of Sherwood be, and they are hereby, changed to include the lands as described in the within order of the Boundary Commission, and the corporate limits of the City of Sherwood are hereby changed in conformity therewith.

Section 3: That the Recorder of the City of Sherwood be, and she is hereby directed to forthwith file a copy of this Ordinance including a copy of said Order in the following offices:

- (1) Secretary of State
- (2) Department of Revenue and Taxation, Washington County
- (3) Department of Records and Elections,
Washington County
- (4) Department of Public Works, Attention:
Surveyor, Washington County

Section 4: That the City Planning Commission be, and it is hereby, authorized and directed to conduct such proceedings as may be necessary to conform the authorized zoning and land use of the described premises to the requirements of the City's Zoning Map and Code.

Section 5: Inasmuch as it is necessary for the peace, health and safety of the people of the City of Sherwood that the foregoing change in the boundaries of the City become a permanent part of the City's records, an emergency is hereby declared to exist and this ordinance shall be effective upon its passage by the Council, and approval by the Mayor.

PASSED:

By Unanimous vote of all Council members present after being read by caption three times, this 29th day of November, 1978.

Polly Blankenbaker
Recorder - City of Sherwood

APPROVED:

By the Mayor, this 29th day of November, 1978.

Jack O. Hayer
Mayor - City of Sherwood

FINAL ORDER

RE: BOUNDARY CHANGE PROPOSAL NO. 1304 - Annexation of territory to the City of Sherwood.

Proceedings on Proposal No. 1304 commenced upon receipt by the Boundary Commission of a petition from property owners on August 18, 1978 requesting that certain property be annexed to the city. The petition meets the requirements for initiating a proposal set forth in ORS 222.170 and paragraph (a) Section (4) of ORS 199.490.

Upon receipt of the petition, the Boundary Commission published and posted notice of the public hearing in accordance with ORS 199.463 and conducted a public hearing on the proposal on September 27, 1978. The Commission also caused a study to be made on this proposal which considered economic, demographic and sociological trends and projections and physical development of the land.

FINDINGS

On the basis of the public hearing and the study, the Boundary Commission found that:

1. The original territory to be annexed is contiguous to the city and contains 182.19 acres, 4 single family dwelling units, 5 industrial structures, 12.44 acres of power line easements, an estimated population of 12 persons and is evaluated at \$530,600.
2. The petitioners desire urban services to facilitate continued development of the area.
3. The city desires the development to: a) meet an immediate need to balance industrial and residential development; b) make economically feasible a sewer L.I.D. which will serve property within the city, including the city's only planned industrial park; c) provide job opportunities close to the existing residential areas in the city.
4. This action complies with LCDC Goals #3, 9, 11, 12, 13 and 14. Goals #1, 4 - 8, and 15 - 19 do not apply directly here. Goal #2 is not entirely satisfied in that the County Framework Plan designation is Urban Immediate and the County Board of Commissioners has recommended indefinite continuation of the proposal. LCDC Goals #3 and 14 are considered met because the annexation meets the requirements of the LCDC Annexation Rule.
5. The area is zoned MA-E (Extensive Industrial) in the county, and the county is allowing development under this zone.

Developments being allowed by the county have tended to be land extensive non-labor-intensive while the city would like land and labor intensive development as these are more in line with the city's goals of providing close-in jobs for its residents and maximizing economy and efficiency in providing services to the area. Twenty percent of the area is developed in the county. The county has allowed five developments in an around the area to be annexed in 1977-78 and eight others previous to that time.

6. The city brought in the annexation without seeking a county plan amendment from Urban Immediate to Urban. Between the requirements of the county and regional planning process it could be up to a year before an amendment could be affected and the county had not the time currently to aid the city in the task (setting an urban growth boundary) which must be accomplished before the county could consider the amendment.
7. The area is Urban on the CRAG Framework Plan. CRAG has just completed findings justifying its Urban category which will soon be presented to LCDC.
8. The territory is identified as Urban Immediate on the County Framework Plan. Current county zoning is MA-E (Extensive Industrial) for the bulk of the territory, with MA-2, Intensive Manufacturing Production District on one tax lot, and RS-1, Suburban Residential on one other tax lot. The county is allowing development under these zones despite its proximity to the city and protests by that city and despite its own Urban Intermediate classification of the land.
9. The city has a 12-inch water line in Tualatin-Sherwood Rd. adjacent to the territory to be annexed which can supply water to the territory. Sewer service can be provided via the Onion Creek Trunk which can be built through a L.I.D. including other lands already in the city. This trunk can be served by the U.S.A.'s Upper Tualatin Interceptor which is scheduled for completion in late 1978 or 1979.
10. Fire protection is provided to the area to be annexed and the city, by the Tualatin RFPD. Other city services such as planning and police will be provided by the city immediately upon annexation.
11. Two property owners within the area to be annexed (Tax Lots 800 and 801 Assessor's Map 25 1 286) have requested that their properties be withdrawn from the area because they do not feel they need the services. These properties contain a meat packaging plant and a rendering plant. They share a DEQ approved sewage lagoon. The properties contain approximately 3.50 acres.

REASONS FOR DECISION

On the basis of the findings the Commission determined that:

1. The area is developing with urban uses and it is clear that this area will be urbanized despite current procedural land use facilities.
2. Annexation will allow for formation of a L.I.D. for sewers which will provide sewers to a currently unsewered planned industrial park within the city.
3. The city has available water, sewer and other municipal services which can adequately serve this area.
4. The parcels south of the Tualatin-Sherwood Rd. are not necessary for the proposal to be effective and the parcels do not appear to need city services at this point in time.

ORDER

On the basis of the findings and reasons listed above, the Boundary Commission approved BOUNDARY CHANGE PROPOSAL NO. 1304 as modified on September 27, 1978.

NOW THEREFORE IT IS ORDERED THAT the territory described in Appendix "A" and depicted on the attached map, be annexed to the City of Sherwood as of this date.

PORTLAND METROPOLITAN AREA LOCAL GOVERNMENT
BOUNDARY COMMISSION

DATE: September 27, 1978

By: Robert S. Ball
Robert S. Ball
Chairman

Attest: Donald R. Carlson

Annexation

CITY OF SHERWOOD

A tract of land in Sections 28, 29, and 32 of Township 2 South, Range 1 West of the Willamette Meridian, in Washington County, Oregon, described as follows:

Beginning at a point on the west boundary of a Bonneville Power Administration right-of-way, which point bears West 600 M/L feet and South 810 ft., M/L, from the one-quarter corner on the north line of said Section 28, said point also being the northeast corner of Parcel II as described in deed recorded in Book 835, Page 678, Washington County Records; thence South 71°26' West, along the north line of said Parcel II, 800 feet, more or less, to a point which bears 950 feet, more or less, Northwesterly from the centerline of the Southern Pacific Railroad right-of-way when measured at right angles thereto, said point being the intersection of the north line of the aforementioned Parcel II and an Urban Growth Boundary as presently designated; thence South 47°18' West, along said Urban Growth Boundary and parallel to said railroad centerline, 1170 feet, more or less, to a point on the west line of said Parcel II; thence South, along the west line of said Parcel II, 800 feet, more or less, to the southwest corner thereof, said point being in the center of Southwest Edy Road (County Road No. 1070); thence North 89°44' East, along the center of said road, 490.82 feet, to the most southerly southeast corner of said Parcel II and continuing along the centerline of said road to a point on the southeasterly boundary of the aforementioned railroad right-of-way, said point being the most northerly northwest corner of that tract of land partially conveyed to Roscoe C. Nelson, et ux, by deed recorded in Book 889, Page 595, Washington County Records; thence southwesterly along the southeasterly railroad right-of-way and the northwesterly boundary of said Nelson tract, 1370 feet, more or less, to the most westerly northwest corner thereof and the northeast corner of that tract of land conveyed to Frontier Leather Company, an Oregon corporation, by deed recorded in Book 467, Page 108, Washington County Deed Records; thence along the northwesterly line of said tract, following the railroad right-of-way, N 42° 11' W 38 ft..

South 47°49' West 441.5 feet, South 42°11' East 38 feet, South 47°49' West 102 feet, Southwesterly 560 feet, and South 47°49' West 138 feet, to the northwest corner of said Frontier Leather Company tract; thence South 0°01' East, along the west line of said tract, 885 feet, to the southwest corner thereof, said point being in the center of Southwest Tualatin Sherwood Road (County Road No. 954); thence North 89°59' East, along the center of said road, 155 feet, more or less, to the initial point of SHERWOOD ACRES, a duly recorded plat in Washington County, said point being on the northerly extension of the east line of HACKERS ADDITION, a duly recorded plat in Washington County; thence South 0°28' West, along said northerly extension and continuing along the east line of said plat, and continuing along the east line of G & T TERRACE, a duly recorded plat in Washington County, 1085.7 feet, to the southeast corner thereof, said point being the most westerly corner of that tract of land conveyed to Raymond E. Leach by deed recorded in Book 1058, Page 987, Washington County Records; thence North 52°00'15" East, along the northwesterly line of said Leach tract, 853.84 feet, to the most northerly corner thereof and a point on the southwesterly line of Southwest Murdock Street (County Road No. 2257); thence continuing along the northeasterly extension of said northwest boundary line, 20 feet, to a point in the center of said street;

thence North 33°50' West, along the centerline of said street, 100 feet, more or less, to an angle corner; thence continuing along said centerline, North 12°47' West 480.8 feet, to a point in the center of the aforementioned SW Tualatin Sherwood Road and the south line of Section 29; thence East, along the centerline of said road and the south line of Sections 29 and 28, 572.6 feet, to the point where said centerline leaves said south section line; thence continuing along the centerline of said road, Northeasterly 3400 feet, more or less, to

a point on the east line of the northeast one-quarter of the southwest one-quarter of Section 28; thence North, along said one-quarter section line and continuing along the east line of the northwest one-quarter of said Section, 2200 feet, more or less, to a point on the southeasterly boundary of the aforementioned railroad right-of-way and the northeast corner of that tract of land conveyed to Lloyd Taylor, et ux, by deed recorded in Book 1124, Page 949, Washington County Records; thence South 47°18' West, along the north line of said Taylor tract and said railroad right-of-way, 800 feet, more or less, to a point on the west boundary of the aforementioned Bonneville Power Administration right-of-way; thence North 0°10', along said B.P.A. right-of-way, 900 feet, more or less, to the point of beginning.

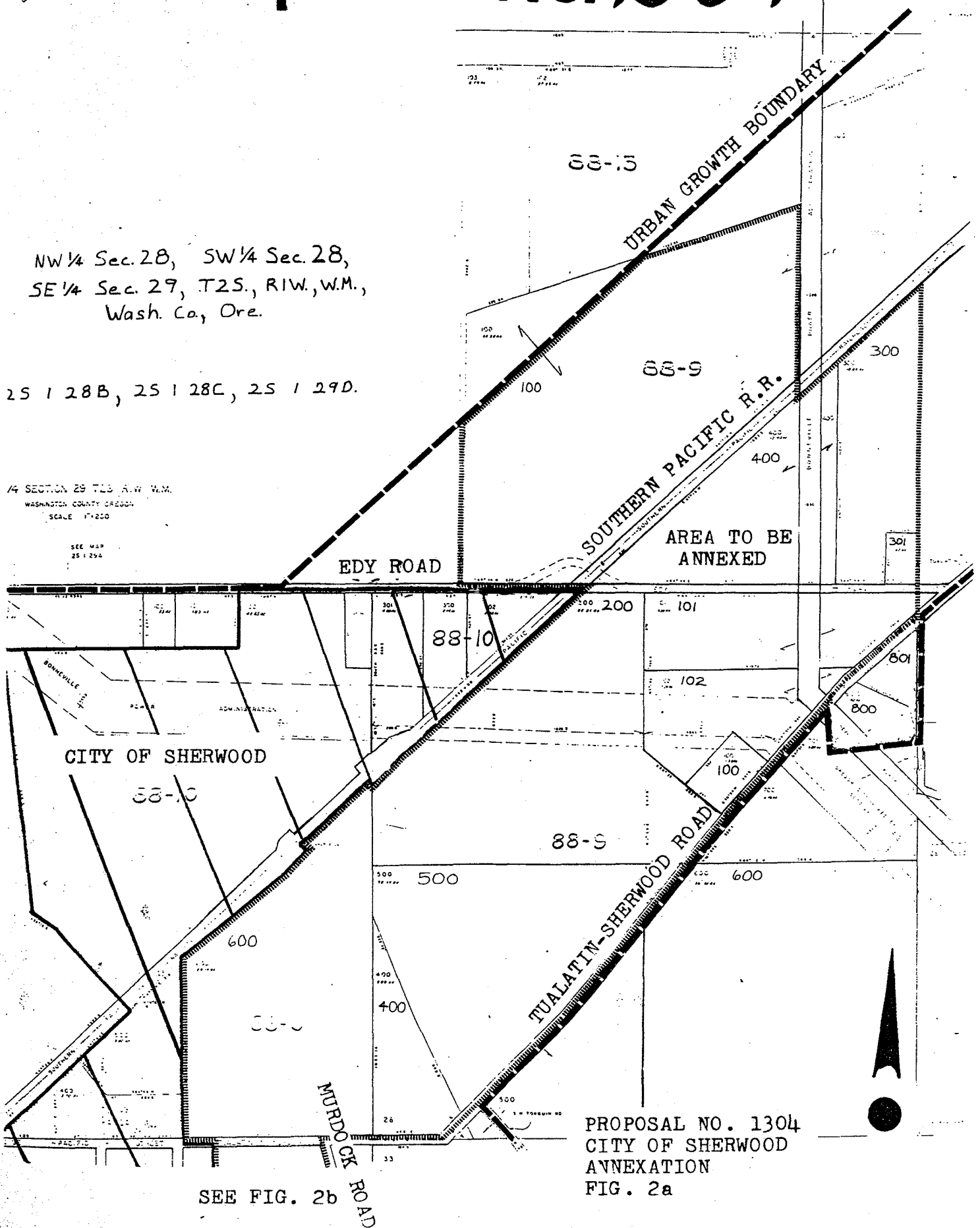
Proposal No. 1304

NW 1/4 Sec. 28, SW 1/4 Sec. 28,
SE 1/4 Sec. 29, T.2S., R.1W., W.M.,
Wash. Co., Ore.

25 1 28B, 25 1 28C, 25 1 29D.

1/4 SECTION 29 T.2S. R.1W. W.M.
WASHINGTON COUNTY OREGON
SCALE 1"=200'

SEE MAP
25 1 29A



PROPOSAL NO. 1304
CITY OF SHERWOOD
ANNEXATION
FIG. 2a

Proposal No. 1304 25 1 32AA

NE 1/4 NE 1/4 SECTION 32 T2S R1W

WASHINGTON COUNTY OREGON

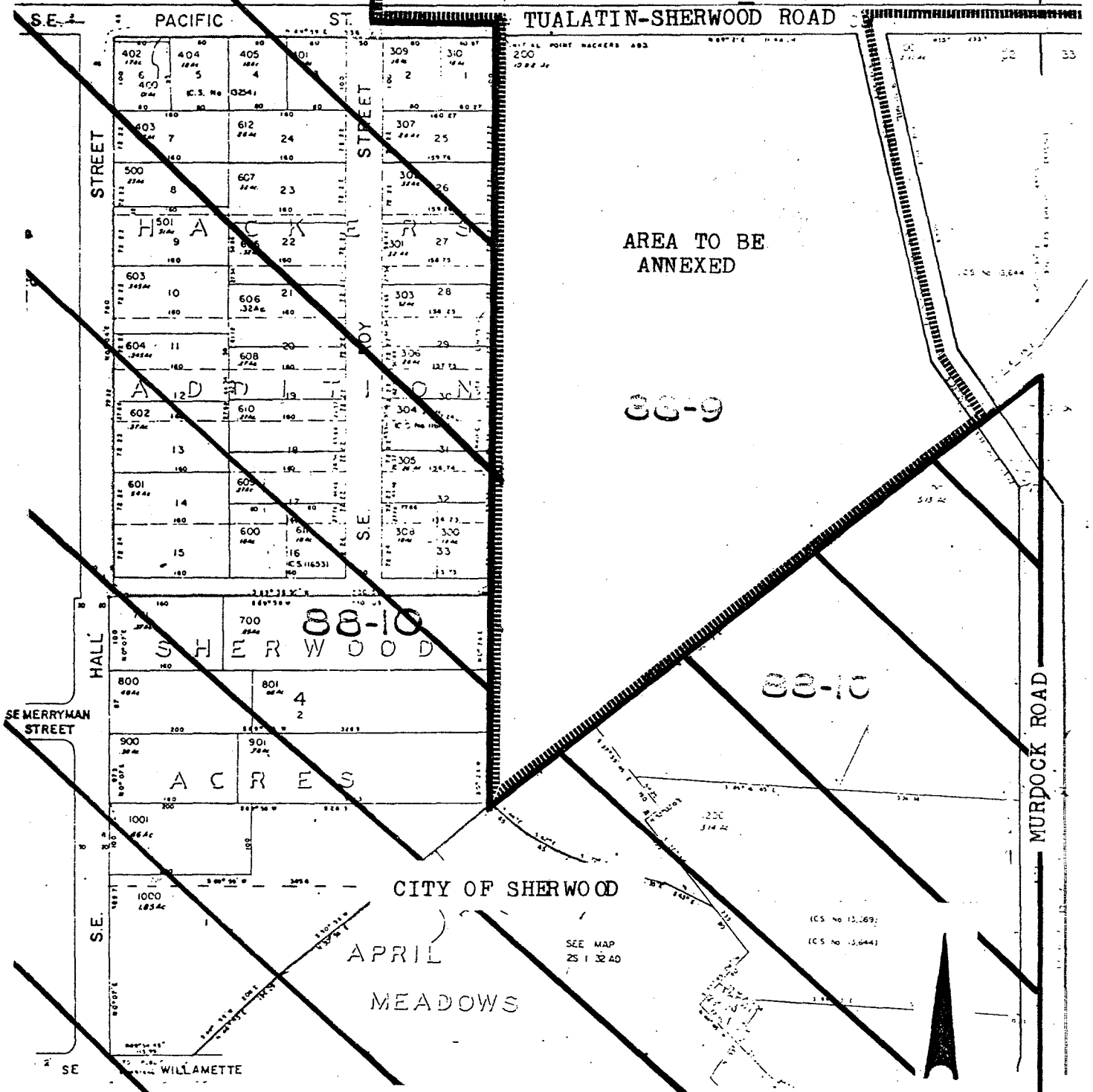
SCALE 1"=100'

SEE MAP

25 1 32D

SEE FIG. 2a

INITIAL POINT SHERWOOD LINES



PROPOSAL NO. 1304
 CITY OF SHERWOOD
 ANNEXATION
 FIG. 2b