

ORDINANCE 2018-002

APPROVING ANNEXATION TO THE CITY OF SHERWOOD OF 84.7 ACRES (INCLUDING RIGHT OF WAY), COMPRISED OF 4 TAX LOTS WITHIN THE SHERWOOD HIGH SCHOOL CONCEPT PLAN AREA AND DECLARING AN EMERGENCY

WHEREAS, the Sherwood School District has submitted an application for annexation of certain land, as described in Exhibits A and B to this Ordinance, to the City of Sherwood; and

WHEREAS, the property owners initiated this annexation in accordance with ORS Chapter 222 and SB 1573 (2016); and

WHEREAS, SB 1573 requires City approval without submission to the electors, regardless of any local charter or ordinance requirements to the contrary, of annexation requests submitted by all owners of land in the territory proposed to be annexed, when:

- (a) The territory is included within an urban growth boundary adopted by the city or Metro, as defined in ORS 197.015;
- (b) The territory is, or upon annexation of the territory into the city will be, subject to the acknowledged comprehensive plan of the city;
- (c) At least one lot or parcel within the territory is contiguous to the city limits or is separated from the city limits only by a public right-of-way or body of water; and
- (d) The proposal conforms to all other requirements of the city's ordinances; and

WHEREAS, the Sherwood High School Concept Plan area, which includes the territory proposed to be annexed, was brought into the Urban Growth Boundary in 2017 by Metro via Ordinance 17-1406; and

WHEREAS, the City of Sherwood developed a concept plan for that area and adopted the concept plan and implementing ordinances in 2018 via Ordinance 2017-008; and

WHEREAS, the property (the territory) that is proposed to be annexed is contiguous to the current city limits; and

WHEREAS, the 84.7 acre property requires rights of way as shown on Exhibits A and B; and

WHEREAS, the City does not presently have any other ordinance requirements applicable to this annexation request; and

WHEREAS, the properties proposed to be annexed are currently in unincorporated Washington County and part of the Washington County Service Districts for Enhanced Law Enforcement and Urban Road Maintenance; and

WHEREAS, Washington County and the City of Sherwood have entered into an agreement acknowledging that the City of Sherwood should be the ultimate provider of services in the Sherwood High School Concept Plan area; and

WHEREAS, these properties must be within the City limits in order to be developed for the urban uses and densities planned for in the Sherwood High School Concept Plan; and

WHEREAS, after proper legal notice, a public hearing was held on the proposed annexation by the City Council on March 6, 2018, at which public comments and testimony were received and considered; and

WHEREAS, the Council reviewed and considered the staff report with proposed findings and conclusions for the decision which is included as Exhibit 1 to the Council staff report; and

WHEREAS, the school district serves a public good and is attempting to address urgent and dire overcrowding issues in the current high school by building a new high school as quickly as possible; and

WHEREAS, adoption of this Ordinance in a single meeting and declaration of an emergency will allow this Ordinance to take effect immediately, preventing unnecessary delays in the project to build said new high school.

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

Section 1. The territory proposed to be annexed is specifically identified in the legal description (Exhibit A) and map (Exhibit B) attached to this Ordinance.

Section 2. The applicant has demonstrated that the annexation of the territory proposed to be annexed to the City of Sherwood meets all applicable requirements, as documented in Exhibit 1 to the City Council Staff Report.

Section 3. Upon annexation, the Comprehensive Plan zoning designation of Institutional and Public (IP) adopted via Ordinance 2017-008 implementing the Sherwood High School Concept Plan, will apply to the territory proposed to be annexed.

Section 4. Pursuant to ORS 222.520 and 222.120(5), the City Council declares that upon the effective date of the annexation, the annexed territory will be withdrawn from the Washington County Service Districts for Enhanced Law Enforcement and Urban Road Maintenance.

Section 5. The territory proposed to be annexed is hereby declared annexed to the City of Sherwood.

Section 6. This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist and this Ordinance shall be in full force and effect on the date of its passage.

Duly passed by the City Council this 6th of March, 2018.



Lee Weislogel, Mayor

3/7/18

Date

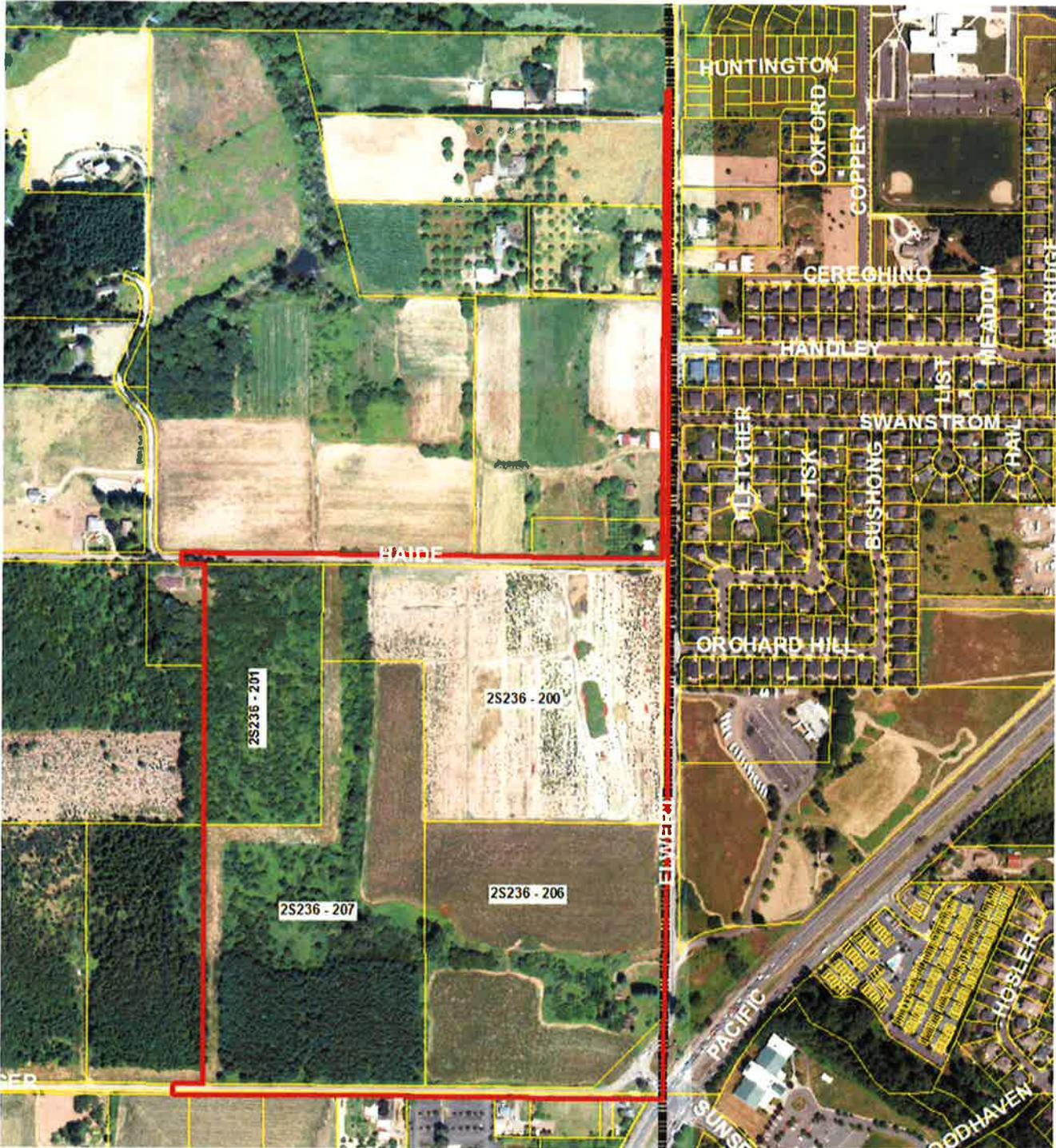
Attest:



Sylvia Murphy, MMC, City Recorder

	<u>AYE</u>	<u>NAY</u>
Rosener	<input checked="" type="checkbox"/>	_____
Griffin	<input checked="" type="checkbox"/>	_____
Brouse	<input checked="" type="checkbox"/>	_____
Young	<input checked="" type="checkbox"/>	_____
Kuiper	<input checked="" type="checkbox"/>	_____
Garland	<input checked="" type="checkbox"/>	_____
Weislogel	<input checked="" type="checkbox"/>	_____

Map of the Project Area
Sherwood High School Annexation AN 17-02



THIS SECTION IS TO BE COMPLETED BY COUNTY ASSESSOR'S OFFICE

**CERTIFICATION OF LEGAL DESCRIPTION AND MAP
(All Methods)**

I hereby certify that the description of the property included within the attached petition (located on Assessor's Map) 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 TEJ FOSTER
TITLE GIS TECH
DEPARTMENT CARTOGRAPHY
COUNTY OF WASHINGTON
DATE 9/8/17

ANNEXATION CERTIFIED

BY TF

SEP 08 2017

**WASHINGTON COUNTY A & T
CARTOGRAPHY**

EXHIBIT A
CITY OF SHERWOOD ANNEXATION
JOB NO. 1600340
08 SEPTEMBER 2017

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE EAST HALF OF SECTION 36 AND SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 2 SOUTH, RANGE 2 WEST, AND SOUTHWEST QUARTER OF SECTION 30 AND WEST HALF OF SECTION 31, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY RIGHT-OF-LINE OF SW ELWERT ROAD, SAID POINT BEARS SOUTH 89°47'32" EAST 37.00 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 36; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE SOUTH 00°04'29" WEST 359.87 FEET; THENCE SOUTH 89°55'31" EAST 8.00 FEET; THENCE SOUTH 00°04'29" WEST 217.99 FEET; THENCE NORTH 89°47'37" WEST 8.00 FEET; THENCE SOUTH 00°04'29" WEST 534.38 FEET; THENCE NORTH 89°52'57" WEST 7.00 FEET; THENCE SOUTH 00°04'29" WEST 1540.87 FEET TO THE EASTERLY EXTENSION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF KRUGER ROAD (40 FEET WIDE); THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AND THE EASTERLY EXTENSION NORTH 89°39'44" WEST 1889.92 FEET; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE NORTH 00°20'16" EAST 40.00 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID KRUGER ROAD; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE SOUTH 89°39'44" EAST 100.00 FEET TO THE SOUTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED DOCUMENT NO. 2001-129201, WASHINGTON COUNTY DEED RECORDS; THENCE ALONG THE WESTERLY LINE OF SAID DEED DOCUMENT NO. 2001-129201 AND THE WESTERLY LINE OF THAT TRACT OF LAND DESCRIBED IN DEED DOCUMENT NO. 2007-032208, WASHINGTON COUNTY DEED RECORDS, NORTH 00°09'32" EAST 1937.54 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF HAIDE ROAD (40 FEET WIDE); THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE NORTH 89°34'14" WEST 100.00 FEET; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE NORTH 00°25'46" EAST 40.00 FEET TO NORTHERLY RIGHT-OF-WAY LINE OF SAID HAIDE ROAD; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE SOUTH 89°34'14" EAST 1826.65 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SW ELWERT ROAD (VARIABLE WIDTH); THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE NORTH 00°04'29" EAST 968.61 FEET; THENCE NORTH 88°42'31" WEST 5.00 FEET; THENCE NORTH 00°04'29" EAST 92.36 FEET TO THE WESTERLY EXTENSION OF THE NORTHERLY RIGHT-OF-WAY LINE OF SW CEREGHINO LANE (34 FEET WIDE); THENCE ALONG SAID WESTERLY EXTENSION LINE SOUTH 89°55'31" EAST 65.00 FEET TO THE EASTERLY RIGHT-OF-LINE OF SW ELWERT ROAD; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE SOUTH 00°04'29" WEST 256.40 FEET;

THENCE SOUTH 89°51'57" EAST 15.00 FEET; THENCE SOUTH 00°04'29" WEST 166.66 FEET;
THENCE NORTH 89°47'32" WEST 8.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,689,582 SQUARE FEET OR 84.701 ACRES (MORE OR LESS).



RENEWAL DATE 6-30-18

ANNEXATION CERTIFIED

BY TF

SEP 08 2017

WASHINGTON COUNTY A & T
CARTOGRAPHY

