



Home of the Tualatin River National Wildlife Refuge

ORDINANCE 2019-017

APPROVING ANNEXATION AN 19-03 INTO THE CITY OF SHERWOOD AND CLEAN WATER SERVICES DISTRICT OF APPROXIMATELY 47.25 ACRES, COMPRISED OF 1 TAX LOT AND ADJACENT SW 124th AVENUE RIGHT-OF-WAY WITHIN THE TONQUIN EMPLOYMENT AREA

WHEREAS, the Willamette Water Supply System Commission, as the applicant and property owner of a single tax lot of approximately 45.8 acres, 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 owner initiated this annexation in accordance with ORS Chapter 222 and Senate Bill 1573 (2016); and

WHEREAS, Senate Bill 1573 requires City approval, without submission to the electors, of annexation requests submitted by all owners of land in the territory proposed to be annexed, regardless of any local charter or ordinance requirements to the contrary, 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 Tonquin Employment Area, which includes the territory proposed to be annexed, was brought into the Urban Growth Boundary in 2004 by Metro via Ordinance 04-1040B; and

WHEREAS, the City of Sherwood developed a concept plan for that area and adopted the concept plan and implementing ordinances on October 5, 2010 via Ordinance 2010-014; and

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

WHEREAS, the subject territory will be added to the Clean Water Services district boundary upon annexation under the authority of ORS 199.510(2)(c); and

WHEREAS, the annexation of the 45.8 acre property requires 1.45 acres of right of way for SW 124th Avenue adjacent to the property on the east; 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

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 Tonquin Employment 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 Tonquin Employment Area Concept Plan; and

WHEREAS, after proper legal notice, a public hearing was held on the proposed annexation by the City Council on December 3, 2019, 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;

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 territory annexed by this Ordinance and described in Section 1 will be added to the Clean Water Services district under ORS 199.510(2)(c).

Section 3. 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 4. Upon annexation, the Comprehensive Plan zoning designation of Employment Industrial (EI) adopted via Ordinance 2010-014 implementing the Tonquin Employment Area Concept Plan, will apply to the territory proposed to be annexed.

Section 5. 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.

Section 6. The territory proposed to be annexed is hereby declared annexed to the City of Sherwood.

Section 7. This Ordinance shall become effective 30 days from its adoption.

Duly passed by the City Council this 3rd of December, 2019.


Keith Mays, Mayor

12/3/2019
Date

Attest:


Sylvia Murphy, MMC, City Recorder

	<u>AYE</u>	<u>NAY</u>
Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Griffin	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Brouse	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Garland	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rosener	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mays	<input checked="" type="checkbox"/>	<input type="checkbox"/>



EXHIBIT "A"

Willamette Water Supply Program
September 17, 2019

Tax Map 2S128D
Tax Lot 00100

South Parcel Annexation Area
To City of Sherwood and Clean Water Services

A parcel of land situate in the southeast one-quarter of Section 28 in Township 2 South, Range 1 West of the Willamette Meridian, Washington County, Oregon and being a portion of that property conveyed to City of Hillsboro, an undivided 39.69% tenant in common interest, and to the Tualatin Valley Water District, an undivided 60.31% tenant in common interest, as tenants in common, in that Statutory Warranty Deed, recorded November 1, 2017 as Document No. 2017-086558, Washington County Book of Records and that portion of SW 124th Avenue more particularly described as follows:

Beginning at a 3-1/4" aluminum cap stamped "WC 28/27/33/34 S 00° 03' E 330.00 FT 2002" at the southeast corner of said property (Being 330 feet North of the Southeast corner of Section 28); thence along the south line of said property North 88° 58' 13" West 1326.38 feet to the west line of said property; thence leaving said south property line and along said west property line North 01° 31' 50" East 782.76 feet to a point of non-tangent curvature; thence leaving said West property line and on the arc of a 442.05 foot radius to the left, the radial center of which bears North 52° 11' 11" West, through a central angle of 20° 45' 20", an arc distance of 160.13 feet (the long chord of which bears North 27° 26' 09" East 159.26 feet); thence North 17° 03' 29" East 388.90 feet to a point of curvature; thence on the arc of a 508.05 foot radius curve to the right, through a central angle of 73° 58' 10", an arc distance of 655.90 feet (the long chord of which bears North 54° 02' 34" East 611.29 feet); thence South 88° 58' 21" East 669.38 feet to the centerline of S.W. 124th Avenue; thence along said centerline South 01° 35' 36" West 608.69 feet to a point of curvature; thence on the arc of a 6200.00 foot radius curve to the left, though a central angle of 06° 17' 16", an arc distance of 680.40 feet (the long chord of which bears South 01° 33' 02" East 680.06 feet); thence leaving said centerline South 85° 18' 20" West 37.00 feet; thence South 01° 39' 46" West 375.26 feet to the point of beginning.

This parcel of land contains 2,059,323 square feet, more or less or 47.275 acres, more or less.



The bearings of this description are based on the North American Datum (NAD) 83/2011 (Epoch 2010), Oregon State Plane Coordinate System, North Zone.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 13, 2004
SCOTT M. GRUBBS
54728

RENEWS: **6.30.2021**

