



## ORDINANCE 2020-008

### **APPROVING ANNEXATION OF 10.90 ACRES TO THE CITY OF SHERWOOD AND 10.50 ACRES TO CLEAN WATER SERVICES WITHIN THE TONQUIN EMPLOYMENT AREA, COMPRISED OF ONE TAX LOT AND THE ADJACENT SW OREGON STREET AND SW TONQUIN ROAD RIGHT-OF-WAY**

**WHEREAS**, Bruce and Karen Polley, property owners of 21720 SW Oregon St. (TL 2S128C000500), have applied for annexation of certain land, as described in Exhibits A, B, C, & D to this Ordinance, to the City of Sherwood; and

**WHEREAS**, the property owner 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 Tonquin Employment Area Concept Plan, 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 in 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 total land proposed to be annexed to the City of Sherwood is 10.90 acres which includes a 9.53-acre parcel and 1.37 acres of adjacent right-of-way and;

**WHEREAS**, a portion of the subject territory is not currently within Clean Water Services boundaries and 10.50 acres will be added to the Clean Water Services district boundary upon annexation under the authority of ORS 199.510(2)(c); 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 urban 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 January 5, 2021, 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 to the City of Sherwood is specifically identified in a legal description (Exhibit A) and map (Exhibit B), and the territory proposed to be annexed to Clean Water Services is specifically identified in a separate legal description (Exhibit C) and map (Exhibit D), each of which are attached to this Ordinance.

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

**Section 3.** The applicant has demonstrated that the annexation all of the territory proposed to be annexed 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 all of 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, all of the annexed territory will be withdrawn from the Washington County Service Districts for Enhanced Law Enforcement.

**Section 6.** All of 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 5<sup>th</sup> of January, 2021.**

  
Keith Mays, Mayor

1/5/2021  
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"/>



AKS ENGINEERING & FORESTRY, LLC  
 12965 SW Herman Road, Suite 100, Tualatin, OR 97062  
 P: (503) 563-6151 F: (503) 563-6152

AKS Job #7971

OFFICES IN: TUALATIN, OR - VANCOUVER, WA - KEIZER, OR - BEND, OR

**EXHIBIT A**  
 Legal Description  
 City of Sherwood Annexation

A tract of land located in the Southwest One-Quarter of Section 28, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, and being more particularly described as follows:

Beginning at the southwest corner of said Section 28; thence along the south line of said Southwest One-Quarter of Section 28, South 88°50'36" East 484.43 feet to the southwest corner of Document Number 2008-025922 and the True Point of Beginning; thence along the westerly line of said Deed and the northerly extension thereof, North 24°57'57" West 110.53 feet to the centerline of SW Oregon Street and the City of Sherwood city limits line; thence along said centerline and said city limits line on a non-tangent curve to the left (with radial bearing North 34°03'55" West) with a Radius 236.00 feet, Delta of 09°08'42", Length of 37.67 feet, and a Chord of North 51°21'44" East 37.63 feet; thence continuing along said centerline and said city limits line, North 46°47'23" East 515.84 feet; thence along a curve to the left with a Radius of 1312.33 feet, Delta of 05°31'00", Length of 126.36 feet, and a Chord of North 44°01'53" East 126.31 feet; thence North 41°16'23" East 562.79 feet; thence North 41°05'27" East 8.35 feet; thence leaving said centerline and said city limits line, South 49°05'29" East 37.00 feet to the northeast corner of said Deed on the southeasterly right-of-way line of SW Oregon Street (37.00 feet from centerline); thence along the east line of said Deed, South 01°32'54" West 989.74 feet to the south line of the Southwest One-Quarter of Section 28; thence along said south line, North 88°50'36" West 824.61 feet to the True Point of Beginning.

The above described tract contains 10.9 acres, more or less.

06/09/2020



*Michael S. Kalina*



RENEWS: 6/30/21

**ANNEXATION CERTIFIED**

BY *MF*

**JUN 15 2020**

**WASHINGTON COUNTY A & T  
 CARTOGRAPHY**

# EXHIBIT B

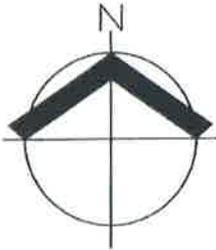
A TRACT OF LAND LOCATED IN THE SW 1/4 OF SEC. 28,  
T2S, R1W, W.M., WASHINGTON COUNTY, OREGON

ANNEXATION CERTIFIED

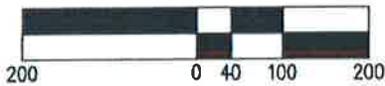
BY 

JUN 15 2020

WASHINGTON COUNTY A & T  
CARTOGRAPHY



SCALE: 1" = 200 FEET

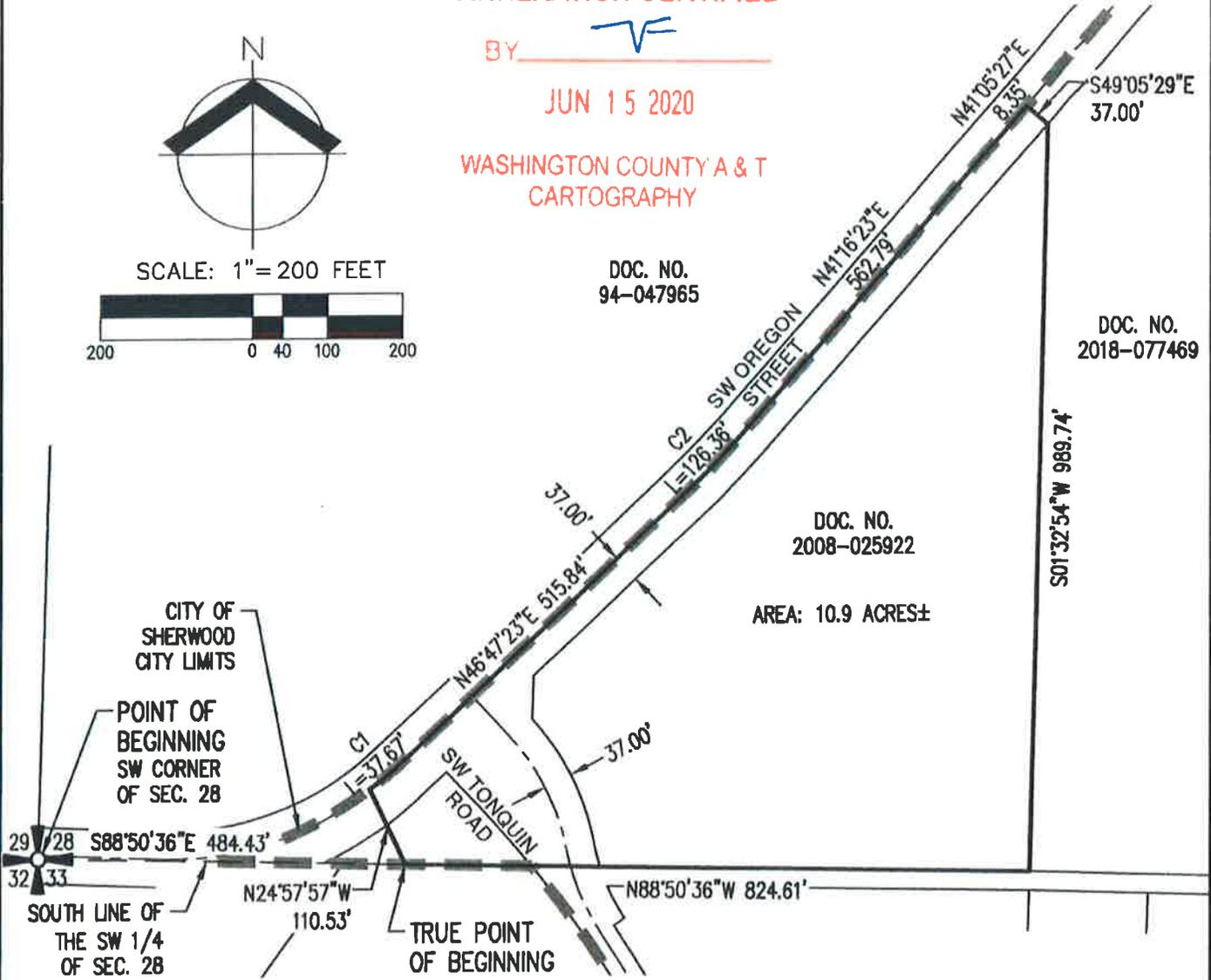


DOC. NO.  
94-047965

DOC. NO.  
2018-077469

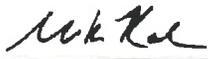
DOC. NO.  
2008-025922

AREA: 10.9 ACRES±



06/09/2020

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

  
OREGON  
JANUARY 12, 2016  
MICHAEL S. KALINA  
89558PLS

RENEWS: 6/30/21

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	236.00'	9°08'42"	37.67'	N51°21'44"E 37.63'
C2	1312.33'	5°31'00"	126.36'	N44°01'53"E 126.31'

CITY ANNEXATION AREA

AKS ENGINEERING & FORESTRY, LLC  
12965 SW HERMAN RD, STE 100  
TUALATIN, OR 97062  
503.563.6151 WWW.AKS-ENG.COM



EXHIBIT  
**B**  
DRWN: MHJ  
CHKD: MSK  
AKS JOB:  
7971



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AKS Job #7971

OFFICES IN: TUALATIN, OR - VANCOUVER, WA - KEIZER, OR - BEND, OR

# Exhibit C

## Legal Description Clean Water Services Annexation

A tract of land located in the Southwest One-Quarter of Section 28, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, and being more particularly described as follows:

Beginning at the southwest corner of said Section 28; thence along the south line of said Southwest One-Quarter of Section 28, South 88°50'36" East 651.35 feet to the southwesterly right-of-way line of SW Tonquin Road (variable width right-of-way) and the Clean Water Services district boundary line and the True Point of Beginning; thence along said boundary line and said southwesterly right-of-way line on a non-tangent curve to the left (radial bearing South 50°32'27" West) with a Radius of 1412.56 feet, Delta of 04°10'05", Length of 102.76 feet, and a Chord of North 41°32'35" West 102.74 feet; thence continuing along said southwesterly right-of-way line and said boundary line and the northwesterly extension thereof, North 43°37'37" West 116.00 feet to the centerline of SW Oregon Street; thence along said centerline and continuing along said boundary line, North 46°47'23" East 466.48 feet; thence continuing along said centerline and said boundary line, along a curve to the left with a Radius of 1312.33 feet, Delta of 05°31'00", Length of 126.36 feet, and a Chord of North 44°01'53" East 126.31 feet; thence North 41°16'23" East 562.79 feet; thence North 41°05'27" East 8.35 feet; thence leaving said centerline and continuing along said boundary line, South 49°05'29" East 37.00 feet to the northeast corner of Document Number 2008-025922; thence along the east line of said Deed, South 01°32'54" West 989.74 feet to the south line of the Southwest One-Quarter of Section 28; thence leaving said boundary line and along said south line, North 88°50'36" West 657.70 feet to the True Point of Beginning.

The above described tract contains 10.5 acres, more or less.

06/09/2020



*Michael S. Kalina*



RENEWS: 6/30/21

ANNEXATION CERTIFIED

BY *[Signature]*

JUN 15 2020

WASHINGTON COUNTY A & T  
 CARTOGRAPHY

# Exhibit D

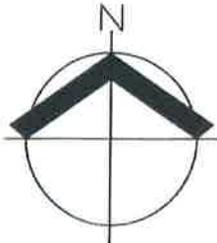
A TRACT OF LAND LOCATED IN THE SW 1/4 OF SEC. 28,  
T2S, R1W, W.M., WASHINGTON COUNTY, OREGON

ANNEXATION CERTIFIED

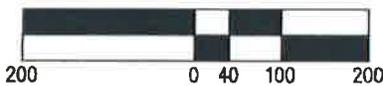
BY VF

JUN 15 2020

WASHINGTON COUNTY A & T  
CARTOGRAPHY



SCALE: 1" = 200 FEET

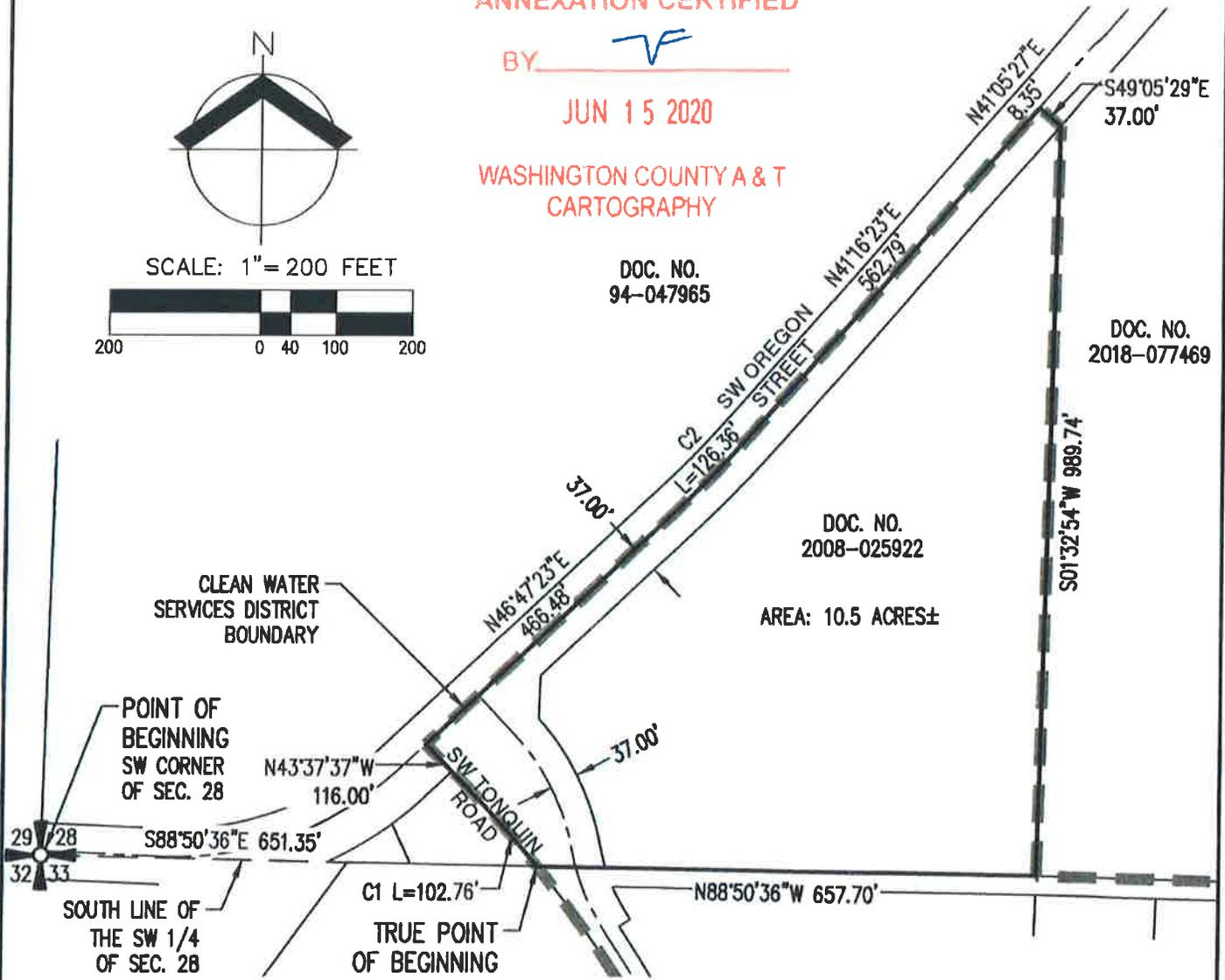


DOC. NO.  
94-047965

DOC. NO.  
2018-077469

DOC. NO.  
2008-025922

AREA: 10.5 ACRES±



CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	1412.56'	4°10'05"	102.76'	N41°32'35"W 102.74'
C2	1312.33'	5°31'00"	126.36'	N44°01'53"E 126.31'

06/09/2020

**REGISTERED  
PROFESSIONAL  
LAND SURVEYOR**

*Michael S. Kalina*

OREGON  
JANUARY 12, 2016  
MICHAEL S. KALINA  
89558PLS

RENEWS: 6/30/21

CWS ANNEXATION AREA

EXHIBIT  
**B**

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