



ORDINANCE 2021-003

APPROVING ANNEXATION OF 2.19 ACRES TO THE CITY OF SHERWOOD AND CLEAN WATER SERVICES, COMPRISED OF 1 LOT AND ADJACENT SW BROOKMAN ROAD RIGHT-OF-WAY WITHIN THE BROOKMAN ADDITION CONCEPT PLAN AREA

WHEREAS, Olivia Beach, LLC., on behalf of the owners of a single 2.0-acre lot, has submitted an application for annexation of certain territory, 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 Brookman Addition Concept Plan area, which includes the territory proposed to be annexed, was brought into the Urban Growth Boundary in 2002 by Metro via Ordinance 02-0969B; and

WHEREAS, the City of Sherwood developed a concept plan for that area and adopted the concept plan and implementing ordinances in 2009 via Ordinance 2009-004 as amended via Ordinance 2021-001; and

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

WHEREAS, the 2 acre property requires 0.19 acres of rights of way for SW Brookman Rd. adjacent to the property on the south; and

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

WHEREAS, after proper legal notice, public hearings were held on the proposed annexation by the City Council on April 20 and May 4, 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 is specifically identified in the legal description (Exhibit A) and map (Exhibit B) attached to this Ordinance.

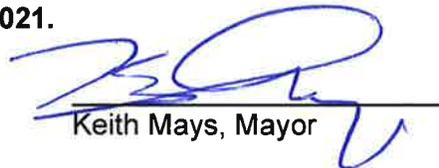
Section 2. The applicant has demonstrated that the annexation of the territory proposed to be annexed to the City of Sherwood meets all applicable requirements, as documented in Exhibit 1 to the City Council Staff Report.

Section 3. Upon annexation, the Comprehensive Plan zoning designation of Medium Density Residential High (MDRH) adopted via Ordinance 2009-004 implementing the Brookman Addition Concept Plan, will apply to the territory proposed to be annexed.

Section 4. The territory proposed to be annexed is hereby declared annexed to the City of Sherwood.

Section 5. This Ordinance shall become effective 30 days from its adoption

Duly passed by the City Council this 4th of May, 2021.


Keith Mays, Mayor

5/4/21
Date

Attest:


Sylvia Murphy, MMC, City Recorder

	<u>AYE</u>	<u>NAY</u>
Scott	<u>Absent</u>	_____
Griffin	<u>✓</u>	_____
Brouse	<u>Absent</u>	_____
Young	<u>✓</u>	_____
Garland	<u>✓</u>	_____
Rosener	<u>✓</u>	_____
Mays	<u>✓</u>	_____

**Annexation Boundary
Legal Description**

A tract of land located in the northwest quarter of Section 6 of Township 3 South, Range 1 West of the Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

Beginning at a 5/8 inch iron rod at the northeast corner of that property described in Washington County Deed Record 88-07960; thence along the north line of said property North 88°10'05" West 208.00 feet to a 5/8 inch iron rod at the northwest corner of said property; thence along the west line of said property, and the southerly extension thereof, South 02°07'10" West 459.00 feet to a point on the south right of way line of SW Brookman Road; thence along said south right of way line South 88°10'05" East 208.00 feet to the intersection of said south right of way line and the southerly extension of the east line of said property conveyed in Washington County Deed Record 88-07960; thence along said southerly extension and east line of said property North 02°07'10" East 459.00 feet to the point of beginning.

The above described boundary contains 2.19 acres of land, more or less. The basis of bearing for the above described boundary is from Washington County Survey No. 33735.



ANNEXATION BOUNDARY

LOCATED IN THE NORTHWEST 1/4 OF SECTION 6 OF
TOWNSHIP 3 SOUTH, RANGE 1 WEST OF THE
WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON

DATE: JANUARY 5, 2021

LEGEND

- 5/8 IRON PER C.S. 33735,
NOT SURVEYED BY OUR OFFICE
- △ CALCULATED POINT
- POB POINT OF BEGINNING FOR LEGAL DESCRIPTION
- WCDR WASHINGTON COUNTY DEED RECORD
- R/W RIGHT OF WAY
- C.S. WASHINGTON COUNTY SURVEY
- () RECORD INFORMATION AS PER C.S. 33735



REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 11, 2005
BRIAN SCOTT SAILOR
81341

EXPIRES 6/30/22

BRIAN SCOTT SAILOR, P.L.S.
COLE SURVEYING, LLC
P.O. BOX 1211
CORVALLIS, OREGON 97339
(541) 257-1019

ACCOUNT R586431
PER WCDR 2019-088141
TAX MAP 3S-01-06B, TAX LOT 100

TOTAL ANNEXATION BOUNDARY AREA = 2.19 ACRES

WCDR 2019-088141
TAX MAP 3S-01-06B, TAX LOT 200

SW BROOKMAN ROAD
R/W = 40'

