



ORDINANCE 2024-006

APPROVING ANNEXATION OF 38.63 ACRES TO THE CITY OF SHERWOOD AND CLEAN WATER SERVICES WITHIN THE TONQUIN EMPLOYMENT AREA, COMPRISED OF FIVE TAX LOTS AND CITY OF SHERWOOD AND BPA RIGHTS-OF-WAY AND DECLARING AN EMERGENCY

WHEREAS, the property owners of 21370 SW Oregon Street (Tax Map 2S128C / Lot 700) and 21680, 21700, 21775, 21825 SW Dahlke Lane (Tax Map 2S1 28D / Lots 600, 602, 700, and 800), City of Sherwood and BPA rights-of-way have applied for annexation of certain lands, as described Exhibits A, B, C, & D to this Ordinance, to the City of Sherwood and Clean Water Services; 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 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 lots (the territory) that are 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 38.63 acres which includes parcels and adjacent rights-of-way; and

WHEREAS, the subject territory is not currently within Clean Water Services boundaries and 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 December 3, 2024, 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, Section 17 of the Sherwood City Charter allows ordinances to take effective immediately upon passage with a unanimous vote of the council; and

WHEREAS, Staff has recommended adopting the ordinance as an emergency to ensure the City's Ice Age Drive construction project stays on schedule and does not forego the spring construction season.

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

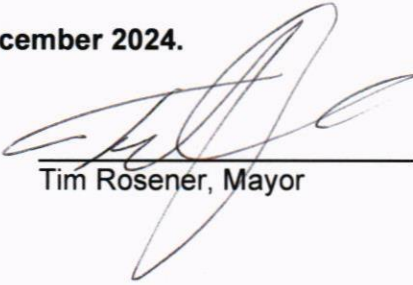
Section 1. The territory proposed to be annexed to the City of Sherwood is specifically identified in a legal description (Exhibit A) and map (Exhibit B), and the territory proposed to be annexed to Clean Water Services is specifically identified in a separate legal description (Exhibit C) and map (Exhibit 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.** An emergency is declared pursuant to Section 17 of the Sherwood City Charter.
- Section 8.** This Ordinance shall become effective immediately upon passage.

Duly passed by the City Council this 3rd of December 2024.



Tim Rosener, Mayor

12/3/2024

Date

Attest:



Sylvia Murphy, MMC, City Recorder

	<u>AYE</u>	<u>NAY</u>
Standke	<input checked="" type="checkbox"/>	_____
Giles	<input checked="" type="checkbox"/>	_____
Scott	<input checked="" type="checkbox"/>	_____
Mays	<input checked="" type="checkbox"/>	_____
Brouse	<input checked="" type="checkbox"/>	_____
Young	<input checked="" type="checkbox"/>	_____
Rosener	<input checked="" type="checkbox"/>	_____



EXHIBIT "A"

Tonquin Employment Area Annexation
City of Sherwood
July 30, 2024

Tax Maps 2S128C and 2S128D

PARCEL 1

A tract of land lying in the South Half of Section 28, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, described as follows:

Beginning at the South quarter corner of Section 28, Township 2 South, Range 1 West, Willamette Meridian; thence North 0°07'50" East along the East line of the Southeast quarter of the Southwest quarter of said Section 28, a distance of 1326.63 feet to the Northeast corner of the said quarter-quarter; thence North 0°03'38" West along the East line of the Northeast quarter of the Southwest quarter, a distance of 198.53 feet to a point on the Southwesterly boundary of that Bonneville Power Administration tract described in Book 180, Page 501, Washington County Book of Records; thence North 44°32'33" West along said Southwesterly boundary a distance of 706.70 feet to a point on the center line of S.W. Oregon Street (County Road No. 492); thence North 41°28'45" East along said center line a distance of 100.24 feet, more or less, to a point on the Northeasterly boundary of said Bonneville Power Administration tract; thence South 44°32'33" East along said Northeasterly boundary a distance of 611.83 feet to a point on said East line of the Northeast quarter of the Southwest quarter; thence North 0°03'38" West along said East line a distance of 375.67 feet, more or less, to a point on the Southerly boundary of that property described in Document No. 2013-106185, Washington County Book of Records, also being a point on the Southerly annexation boundary described in Annexation Proposal No. 3735; thence South 65°30'00" East, more or less, along said Southerly annexation boundary a distance of 13.74 feet, more or less, to a point on the center line of S.W. Dahlke Lane whose right-of-way is described as a 25.00 foot wide strip of land in Book 179, Page 471, Washington County Book of Records; thence North 0°03'38" West along said center line of S.W. Dahlke Lane a distance of 468.07 feet, more or less, to a point on the center line of County Road No. 492; thence North 47°32'40" East, more or less, along said center line of County Road No. 492 a distance of 16.90 feet, more or less, to a point on the Northerly extension of the East line of said S.W. Dahlke Lane right-of-way; thence South 0°03'38" East, along said Northerly extension and said East line, a distance of 528.84 feet, more or less, to a point on the South line of that property described in Document No. 2018-085434, Washington County Book of Records; thence North 89°33'10" East along said South line of said property a distance of 15.00 feet to a point on the Easterly right-of-way of the 40.00 foot wide S.W. Dahlke Lane; thence South 0°03'38" East along said Easterly right-of-way a distance of 313.98 feet; thence South 70°50'35" East a distance of 125.22 feet; thence South 41°07'35"



East a distance of 173.46 feet; thence South 17°39'06" East a distance of 173.28 feet to a point on the Northeasterly boundary of said Bonneville Power Administration tract; thence South 44°32'33" East along said Northeasterly boundary a distance of 102.04 feet to a point on the Northerly boundary of that property described in Document No. 2023-014259, Washington County Book of Records; thence North 89°26'07" East along said Northerly boundary a distance of 905.18 feet to a point on the Westerly boundary of Partition Plat No. 2019-029, Washington County Survey Records; thence South 0°04'06" East along said Westerly boundary a distance of 931.12 feet to a 1-1/8" Ford axle being the Southwest corner of said Partition Plat; thence South 89°26'02" West through the said Bonneville Power Administration tract and along a portion of the Southerly boundary of that property described in Document No. 2023-040577, Washington County Book of Records, a distance of 693.22 feet to a point on the Westerly right-of-way of said S.W. Dahlke Lane; thence North 34°44'06" West along said Westerly right-of-way a distance of 139.66 feet to a point on the Northwesterly boundary of that property described in Document No. 2016-001001, Washington County Book of Records; thence South 49°45'43" West along said Northwesterly boundary a distance of 697.75 feet to the Point of Beginning.

This tract of land contains 33.52 acres, more or less.

The bearings of this description were established on Record of Survey No. 34604, Washington County Survey Records.

PARCEL 2

A tract of land lying in the Northeast quarter of the Southwest quarter of Section 28, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, described as follows:

Beginning at a point on the North line of the Southeast quarter of the Southwest quarter, said point lying South 89°11'33" West 205.37 feet from the Northeast corner of said quarter-quarter; thence South 89°11'33" West along said North line and the Southerly boundary of that property described in Document No. 2022-059410, Washington County Book of Records, a distance of 844.49 feet to a point on the Southeasterly Right-of-Way of S.W. Oregon Street (37.00 feet from center line); thence North 51°26'34" West a distance of 37.00 feet to said center line; thence North 38°33'26" East along said center line a distance of 418.10 feet to a point of curvature; thence continuing along said center line on a curve to the right with a radius of 1312.33 feet (the long chord of which bears North 40°01'05" East 66.92 feet) a distance of 66.93 feet to a point of tangency; thence North 41°28'45" East continuing along said center line a distance of 133.26 feet; thence leaving said center line South 44°32'33" East along the Northeasterly boundary of said Document No. 2022-059410 a distance of 686.37 feet to the Point of Beginning.



This parcel of land contains 5.11 acres, more or less.

The bearings of this description were established on Record of Survey No. 34604, Washington County Survey Records.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

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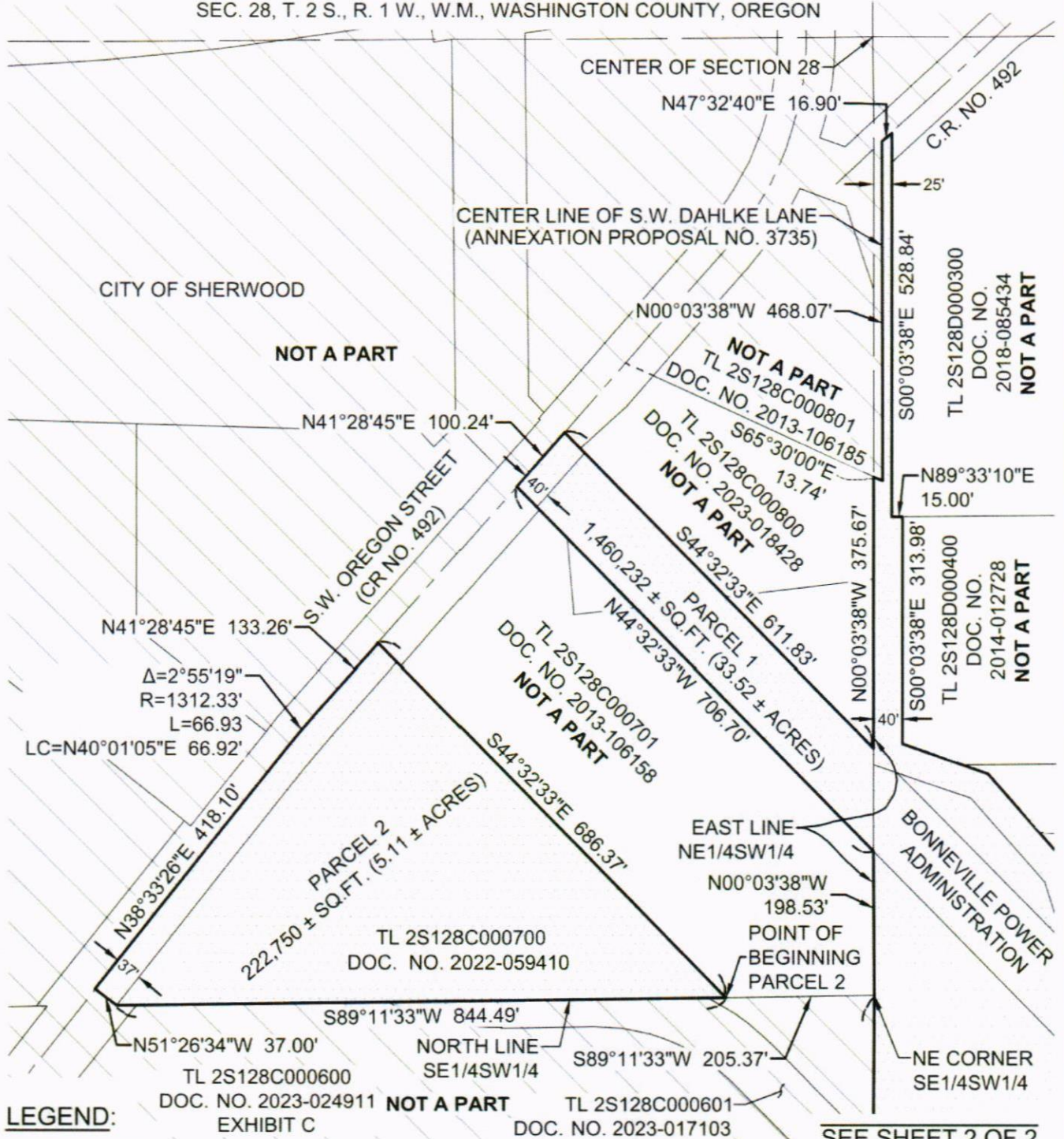
OREGON
JULY 13, 2021
KEITH LYMAN
94803

RENEWS: 12/31/2024

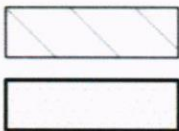
EXHIBIT "B"

SHEET 1 OF 2

SEC. 28, T. 2 S., R. 1 W., W.M., WASHINGTON COUNTY, OREGON



LEGEND:



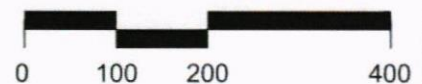
CITY OF SHERWOOD

PROPOSED ANNEXATION



SEE SHEET 2 OF 2

SCALE: 1" = 200'



TONQUIN EMPLOYMENT AREA ANNEXATION
CITY OF SHERWOOD

FILE NO: ANX 01	SUBMITTAL DATE: 07/30/2024
TAX LOT: -	REVISED DATE: 10/16/2024
TAX MAP: -	ADDRESS: -NA-



DAVID EVANS
AND ASSOCIATES INC.

2100 S River Parkway, Suite 100
Portland Oregon 97201
Phone: 503.223.6663

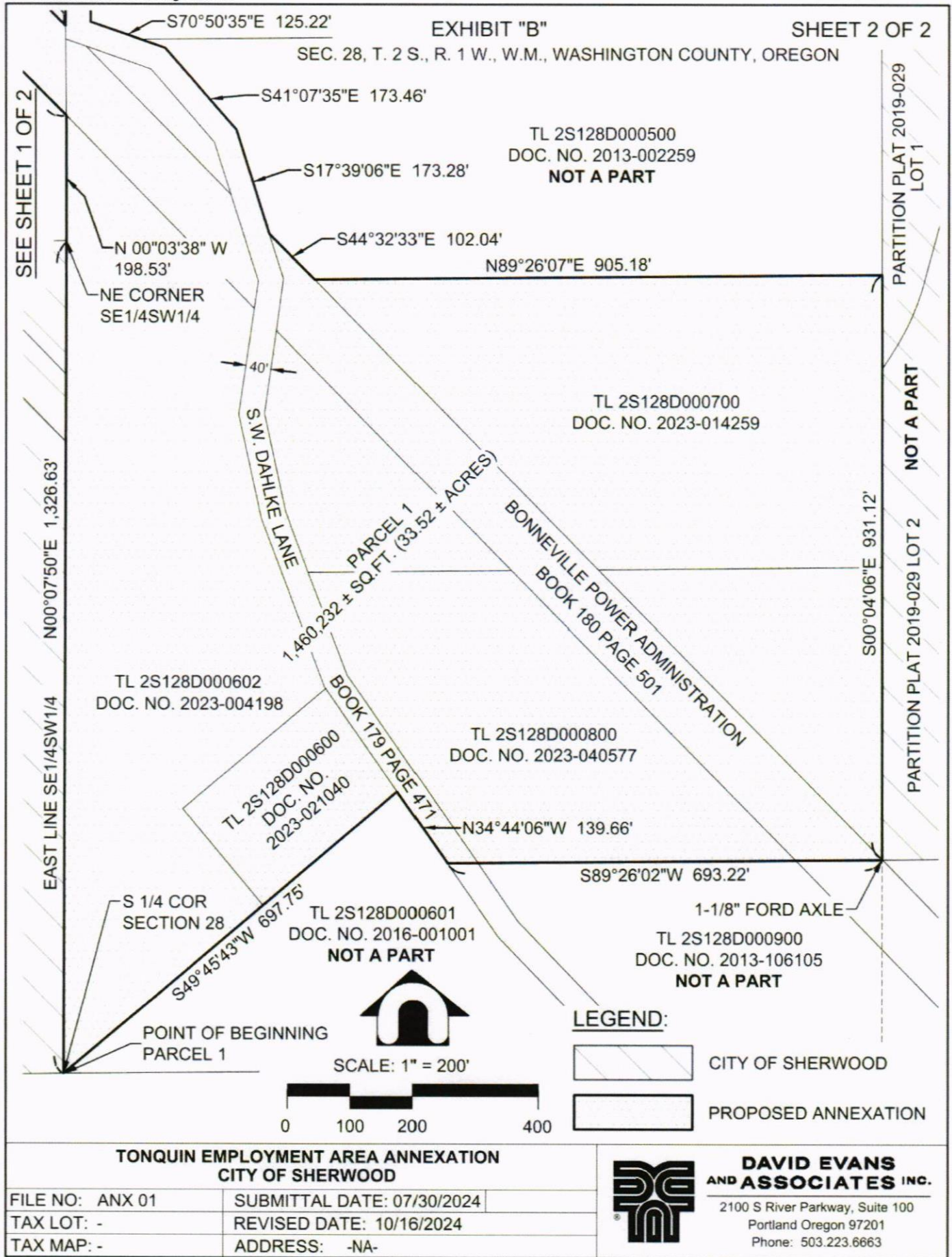




EXHIBIT "C"

Tonquin Employment Area Annexation
Clean Water Services
July 30, 2024

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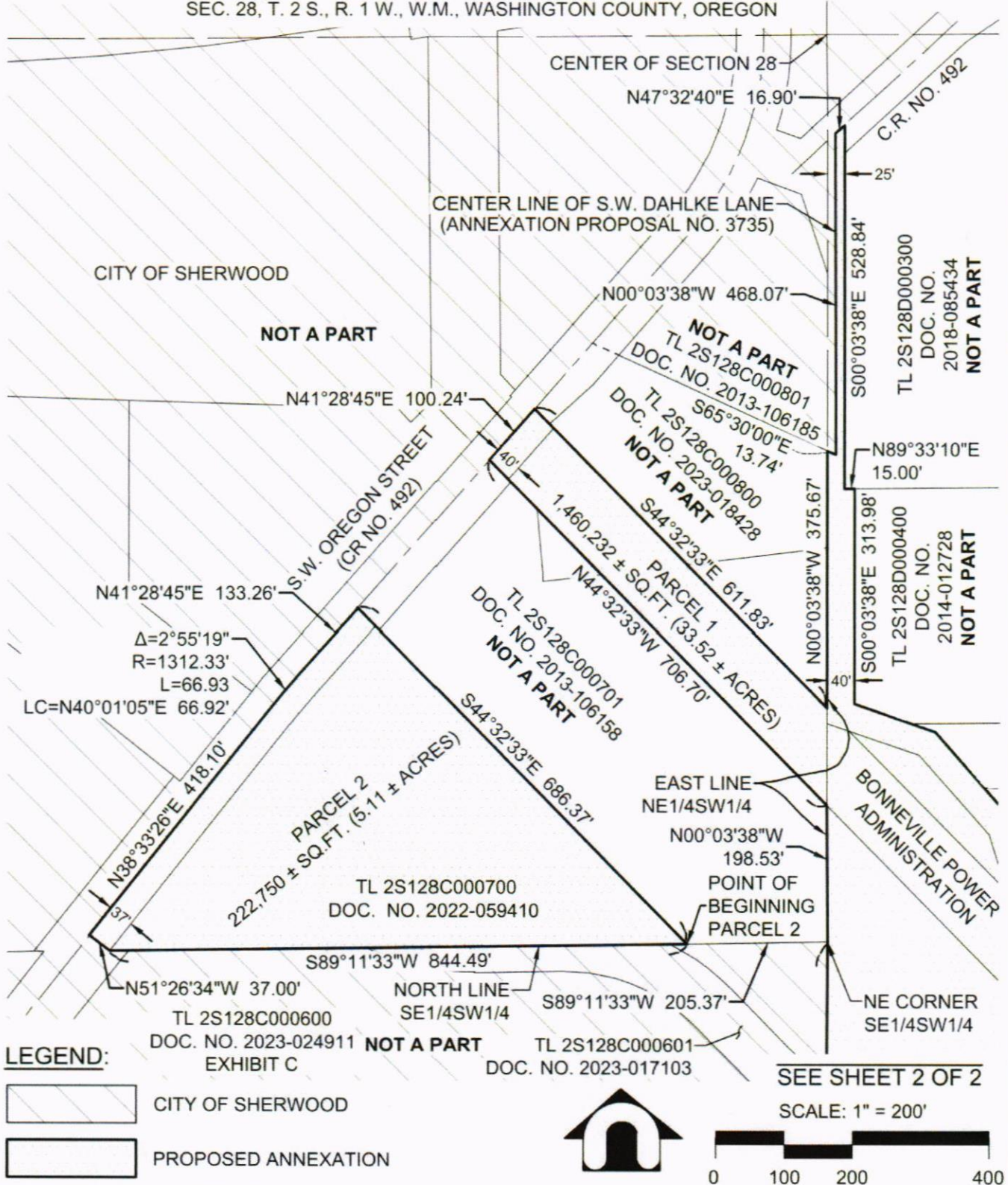
OREGON
JULY 13, 2021
KEITH LYMAN
94803

RENEWS: 12/31/2024

EXHIBIT "D"

SHEET 1 OF 2

SEC. 28, T. 2 S., R. 1 W., W.M., WASHINGTON COUNTY, OREGON



TONQUIN EMPLOYMENT AREA ANNEXATION
CLEAN WATER SERVICES

FILE NO: ANX 01	SUBMITTAL DATE: 07/30/2024
TAX LOT: -	REVISED DATE: 10/16/2024
TAX MAP: -	ADDRESS: -NA-



**DAVID EVANS
AND ASSOCIATES INC.**

2100 S River Parkway, Suite 100
Portland Oregon 97201
Phone: 503.223.6663

EXHIBIT "D"

SHEET 2 OF 2

SEC. 28, T. 2 S., R. 1 W., W.M., WASHINGTON COUNTY, OREGON

TL 2S128D000500
DOC. NO. 2013-002259
NOT A PART

TL 2S128D000700
DOC. NO. 2023-014259

TL 2S128D000602
DOC. NO. 2023-004198

TL 2S128D000600
DOC. NO. 2023-021040

TL 2S128D000800
DOC. NO. 2023-040577

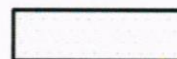
TL 2S128D000601
DOC. NO. 2016-001001
NOT A PART

TL 2S128D000900
DOC. NO. 2013-106105
NOT A PART

LEGEND:



CITY OF SHERWOOD



PROPOSED ANNEXATION

**TONQUIN EMPLOYMENT AREA ANNEXATION
CLEAN WATER SERVICES**

FILE NO: ANX 01	SUBMITTAL DATE: 07/30/2024
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