

RESOLUTION NO. 14-18

A RESOLUTION REGARDING ANNEXATION PROPOSAL NO. AN 14-01 AND REFERRING TO THE LEGAL VOTERS OF OREGON CITY THE QUESTION OF APPROVING ANNEXATION PROPOSAL NO. AN 14-01

WHEREAS, the owners of certain real property adjacent to the City of Oregon City, more fully identified in the legal description attached hereto as Exhibit 'A' to this Resolution, proposed in Annexation Proposal No. AN 14-01 that their property be annexed to the City; and

WHEREAS, the City of Oregon City Commission, Oregon, reviewed the proposal during a public hearing and found that it can comply with all applicable legal requirements; and

WHEREAS, Chapter I, section 3 of the Oregon City Charter of 1982, as amended, requires voter approval of annexations such as the one proposed; and

WHEREAS, the identified property is currently in Clackamas County Rural Fire Protection District # 1 (CCFD#1); and

WHEREAS, if annexation is approved by the legal voters of Oregon City, CCFD#1 will continue to provide fire protection service to the identified property; and

WHEREAS, the identified property is currently within the Clackamas County Service District for Enhanced Law Enforcement; and

WHEREAS, if annexation is approved by the legal voters of Oregon City, the Oregon City Police Department will be responsible for police services to the identified property; and

WHEREAS, the identified property is currently served by in the Clackamas River Water District; and

WHEREAS, if annexation is approved by the voters, the identified property will be withdrawn from the Clackamas River Water district and served by the City of Oregon City water distribution system; and

WHEREAS, the identified property is not currently within the Tri-City Service District and must petition for annexation into said District with the concurrence of the City;

NOW, THEREFORE, OREGON CITY RESOLVES AS FOLLOWS:

Section 1. That the annexation proposal, AN 14-01, should be sent to the voters for decision and that, should the legal voters of Oregon City approve the measure submitted to them below, the property described in Exhibit 'A' should be annexed to the City of Oregon City.

Section 2. An election is called in and for the City of Oregon City, to be held November 4, 2014, in the manner designated by the Clackamas County Clerk, who shall conduct the election. At that election, the following question shall be submitted to the electors:

Shall 5.5 acres at 19588 S McCord Road be annexed into the Oregon City city limits?

Section 3. The City Commission adopts the following ballot title to describe the measure to be placed before the voters at the Tuesday, November 4, 2014 election:

MEASURE No. _____

CAPTION: Expand Oregon City boundary by 5.5 acres.

QUESTION: Shall 5.5 acres at 19588 S. McCord Road be annexed into the Oregon City city limits?

SUMMARY: Annexation is the legal process to bring property into the city limits. David and Diane Douglas, property owners, have asked the city to bring one 5.5 acre parcel of land located at 19588 S McCord Road into the city limits.

The property was brought into the Portland metropolitan urban growth boundary (UGB) in 1979. The annexation area is contiguous to the city limits. The property is currently zoned County FU-10 and designated in the City's Comprehensive Plan for Low Density Residential. The property will be re-zoned to the City's R-10 Single Family Residential zone should annexation be approved. The City Commission has concluded that the proposal meets all state, regional and City requirements for annexation into the City and services can be adequately provided to the property.

The City Charter requires voter approval of annexations. A map showing the parcel is included in the Voters' Pamphlet.

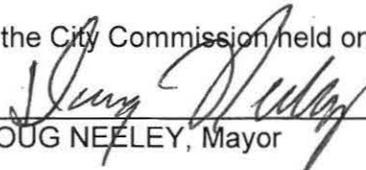
Section 4. The Notice of Ballot Title, as set forth in Exhibit 'B,' is hereby approved and the City Recorder is hereby authorized and directed to take all measures necessary for the holding of the election on the measure described in this resolution.

If the legal voters of Oregon City approve the annexation, the identified territory shall be withdrawn from the Clackamas County Service District for Enhanced Law Enforcement on the date the annexation becomes effective.

If the legal voters of Oregon City approve the annexation, the identified territory shall be withdrawn from the Clackamas River Water (CRW) District.

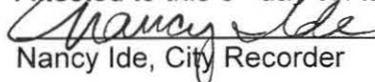
If the legal voters of Oregon City approve the annexation, the City Commission will concur with Tri-City Service District's annexation of the subject properties into their district in the enacting City ordinance accepting the City voter's approval.

Approved and adopted at a regular meeting of the City Commission held on the 6th day of August 2014.



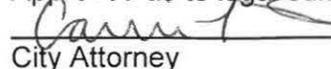
DOUG NEELEY, Mayor

Attested to this 6th day of August 2014:



Nancy Ide, City Recorder

Approved as to legal sufficiency:



City Attorney

**ENGINEERING PLANNING
FORESTRY**

13910 S.W. Galbreath Dr., Suite 100
Sherwood, Oregon 97140
Phone: (503) 925-8799
Fax: (503) 925-8969
AKS Job #3523



**LANDSCAPE ARCHITECTURE
SURVEYING**

AKS Group of Companies:
SHERWOOD, OREGON
SALEM, OREGON
VANCOUVER, WASHINGTON
www.aks-eng.com

EXHIBIT A

A tract of land located in the Northwest One-Quarter of Section 7, Township 3 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon and being more particularly described as follows:

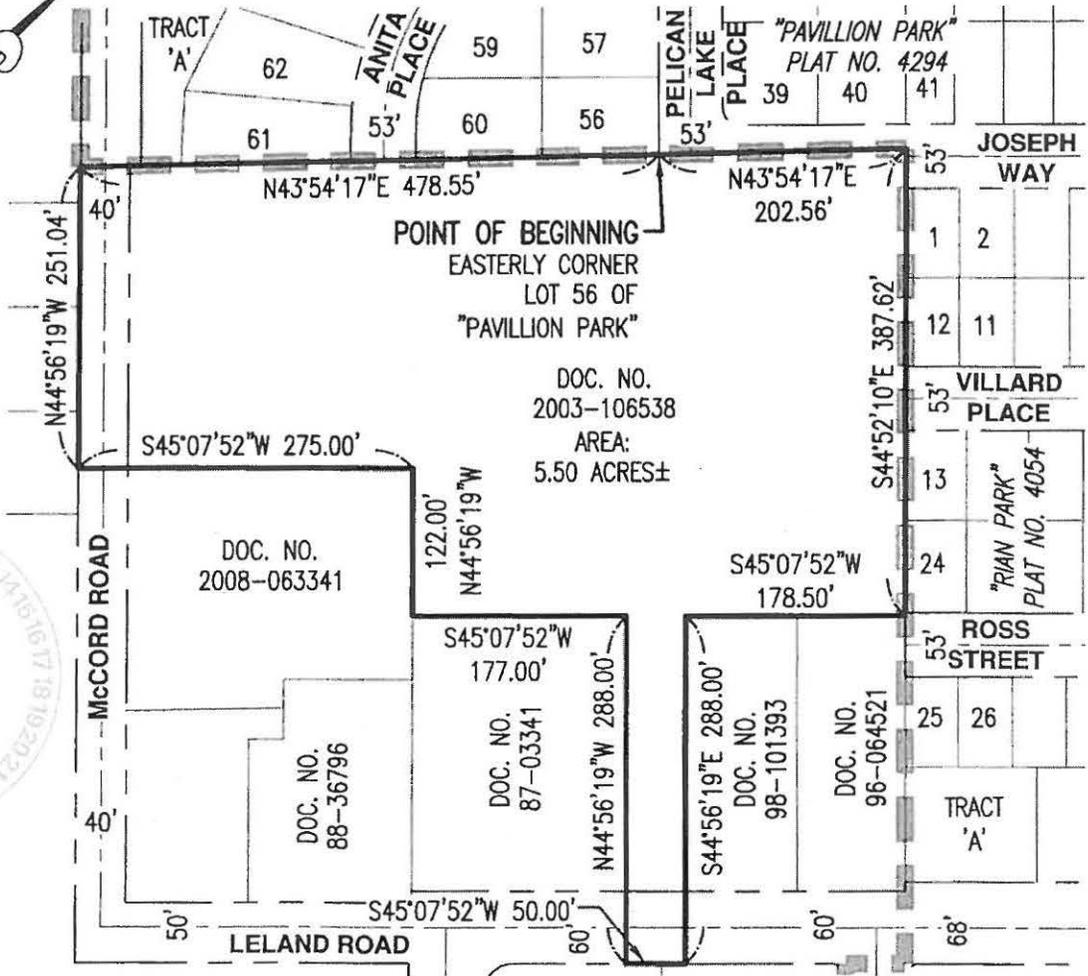
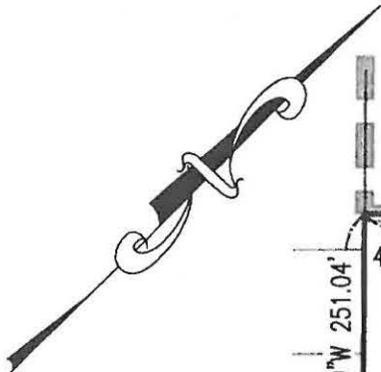
Beginning at the easterly corner of Lot 56 of the Plat of "Pavillion Park", thence along the southeasterly line of said Plat and the city limits of Oregon City, North 43°54'17" East 202.56 feet to the westerly corner of the Plat of "Rian Park"; thence along the southwesterly line of said Plat of "Rian Park" and being the city limits of Oregon City, South 44°52'10" East 387.62 feet to the northerly corner of that tract of land conveyed to Bond A. Fisher and Kellie I. Fisher in Document Number 96-064521, Clackamas County deed records; thence along the northwesterly line of the Fisher tract and the northwesterly line of that tract land conveyed to Dennis Mark Brown in Document Number 98-101393, Clackamas County deed records, South 45°07'52" West 178.50 feet to the westerly corner of the Brown tract; thence along the southwesterly line of the Brown tract and the southeasterly extension thereof, South 44°56'19" East 288.00 feet to a point on the southeasterly right-of-way line of Leland Road (30.00 feet from centerline); thence along said southeasterly right-of-way line, South 45°07'52" West 50.00 feet to a point on the southeasterly extension of the northeasterly line of that tract of land conveyed to Judy J. Douglass in Document Number 87-03341, Clackamas County deed records; thence along said southeasterly extension and the northeasterly line of the Douglass tract, North 44°56'19" West 288.00 feet to the northerly corner thereof; thence along the northwesterly line of the Douglass tract, South 45°07'52" West 177.00 feet to the westerly corner thereof, being a point on the northeasterly line of that tract of land conveyed to Bill Creel and Dana Creel in Document Number 2008-063341, Clackamas County deed records; thence along the northeasterly line of the Creel tract, North 44°56'19" West 122.00 feet to the northerly corner thereof; thence along the northwesterly line of the Creel tract and the southwesterly extension thereof, South 45°07'52" West 275.00 feet to a point on the southwesterly right-of-way line of McCord Road (20.00 feet from centerline); thence along said southwesterly right-of-way line, North 44°56'19" West 251.04 feet to a point on the southwesterly extension of the southeasterly line of the Plat of "Pavillion Park"; thence along said southwesterly extension of the southeasterly line of said Plat, being the city limits of Oregon City, North 43°54'17" East 478.55 feet to the Point of Beginning.

The above described tract of land contains 5.50 acres, more or less.

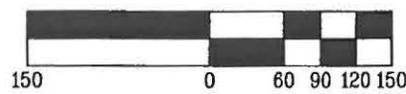


EXHIBIT B

A TRACT OF LAND LOCATED IN THE NW 1/4 OF SEC. 7,
TOWNSHIP 3 SOUTH, RANGE 2 EAST, W.M.,
CLACKAMAS COUNTY, OREGON



SCALE 1" = 150 FEET



LEGEND

CITY OF OREGON CITY LIMITS

PREPARED FOR
H&H PREFERRED REAL ESTATE

08-01-13
REGISTERED
PROFESSIONAL
LAND SURVEYOR

[Signature]

OREGON
JANUARY 11, 2005
ROBERT D. RETTIG
60124LS

RENEWS: 12/31/14

JOB NAME: McCORD ROAD
JOB NUMBER: 3523
DRAWN BY: MSK
CHECKED BY: RDR
DWG NO.: ANNEX-1

AKS ENGINEERING AND FORESTRY, LLC
13910 SW GALBREATH DR
SUITE 100
SHERWOOD, OR 97140
PHONE: 503.925.8799
FAX: 503.925.8969



ENGINEERING · PLANNING · SURVEYING
FORESTRY · LANDSCAPE ARCHITECTURE

EXHIBIT B

NOTICE OF BALLOT TITLE – REFERRAL BY CITY COMMISSION

NOTICE IS HEREBY GIVEN that the City Recorder of Oregon City has received a proposal from the Oregon City Commission to expand the City's boundaries by approximately 5.5 acres located generally on the southwest side of the City, located at 19588 S. McCord Road. The City Recorder has determined that the proposal contains only one subject, as required by section 1(2)(d), Article IV of the Oregon Constitution.

NOTICE IS FURTHER GIVEN that any elector of the City who believes the proposed measure contains more than one subject or who believes the ballot title is insufficient, not concise, or unfair may file a petition for judicial review with the Circuit Court for Clackamas County no later than August 18, 2014, which is seven business days after the ballot title was filed with the City Elections Officer.

NOTICE IS FURTHER GIVEN that the Oregon City Commission has submitted the following ballot title for the proposal:

BALLOT TITLE

MEASURE No. _____

CAPTION: Expand Oregon City boundary by 5.5 acres.

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The City Charter requires voter approval of annexations. A map showing the parcel is included in the Voters' Pamphlet.

NANCY IDE, City Recorder