

## **RESOLUTION NO. 12-23**

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### **A RESOLUTION REGARDING ANNEXATION PROPOSAL NO. AN 12-01 AND REFERRING TO THE LEGAL VOTERS OF OREGON CITY THE QUESTION OF APPROVING ANNEXATION PROPOSAL NO. AN 12-01**

**WHEREAS**, the owner 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 12-01 that their property be annexed to the City to comply with Water Environment Services, Clackamas County, requirements to connect a failing septic system to city sanitary services; and

**WHEREAS**, the City of Oregon City 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**, the identified property is currently served and will continue to be served within the Clackamas River Water District pursuant to the Holcomb-Outlook-Park Place (HOPP) Intergovernmental Cooperative Agreement between the City and CRW; 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; 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;

### **NOW, THEREFORE, OREGON CITY RESOLVES AS FOLLOWS:**

**Section 1.** That the annexation proposal, AN 12-01, 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 6, 2012, 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 0.69 acres located on the south side of Holcomb Boulevard 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 6, 2012 election:

MEASURE No. \_\_\_\_

CAPTION: MEASURE APPROVING ANNEXATION OF 0.69 ACRES INTO OREGON CITY.

QUESTION: Shall 0.69 acres located on the south side of Holcomb Boulevard be annexed into the Oregon City city limits?

SUMMARY: Annexation is the legal process to bring property into the city limits. Because of a failing septic system, Debbie and Eugene Pardella, the applicants and property owners, have asked the city to bring one 0.69 acre parcel of land located on the south side of Holcomb Boulevard into the city limits. The legal description of the property is T2S R2E Section 27B Tax Lot 1202.

The annexation area is located within Oregon City's Urban Growth Boundary and is contiguous to property already located in the city limits. The property is currently zoned County FU-10 and will retain its FU-10 designation should annexation be approved. No development of the subject property is proposed. 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.

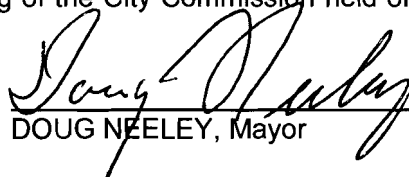
**Section 4.** The Notice of Ballot Title, as set forth in Exhibit 'B,' is hereby approved and the City Recorder is hereby authorized and directed to take all measures necessary for the holding of the election on the measure described in this resolution.

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 remain within the Clackamas River Water (CRW) District for the term of the Holcomb-Outlook-Park Place (HOPP) Intergovernmental Cooperative Agreement between the City and CRW.

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.

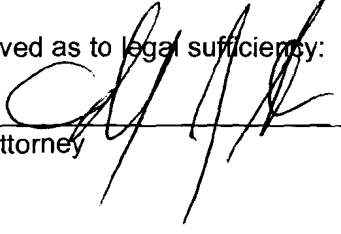
Approved and adopted at a regular meeting of the City Commission held on the 1<sup>st</sup> day of August, 2012.

  
DOUG NEELEY, Mayor

Attested to this 1st day of August 2012:

Kelly Burgoyne, Asst. City Recorder  
for Nancy Ide, City Recorder

Approved as to legal sufficiency:

  
\_\_\_\_\_  
City Attorney

**CERTIFICATION OF LEGAL DESCRIPTION AND MAP**

I hereby certify that the description of the property included within the attached petition (located on Assessor's Map 2 2E 27B tax lot 1202) has been checked by me and it is a true and exact description of the property under consideration, and the description corresponds to the attached map indicating the property under consideration.

NAME Mary Neigel  
TITLE Cartographer II  
DEPARTMENT Assessment & Tax  
COUNTY OF Clackamas  
DATE 03.19.2012

D.L.C. NO. 69

HC3  
DRIVE

62-88

2

2E

27BB

COURT

JOSI

COURT

BARLOW

WIDMAN

HOLCOMB

SEE MAP  
62-64

JADA WAY

2 2E 27BC

600  
1.35 Ac.  
15030  
15032

800  
1.34 Ac.  
15050

900  
1.01 Ac.  
15076

1080  
1.49 Ac.

1190  
1.11 Ac.

62-84

FU-10

1202  
0.69 Ac.  
15172

1293  
0.55 Ac.

1290  
1.28 Ac.

1400  
2.75 Ac.  
15270

1000  
9.66 Ac.

1100  
0.81 Ac.

1200  
3.70 Ac.  
15252

1203  
1.54 Ac.  
15200

62-33

RRFI

1/4 COR.

SEE MAP 2 2E 2

2 2E 27B

580

WARRANTY DEED — STATUTORY FORM  
(Individual or Corporation)

GLORIA S. DILLON

Grantor, conveys and warrants to EUGENE PARDELLA and DEBORAH MAE PARDELLA

husband and wife

Grantee, the following described real property free of encumbrances except as specifically set forth herein:

Part of the Northwest one-quarter of Section 27, Township 2 South, Range 2 East, of the Willamette Meridian, in Clackamas County, Oregon, described as follows:

Beginning at a stone at the Southeast corner of that tract conveyed to N. B. Stevens, et al, by Deed recorded in Book 131, Page 157, Clackamas County Deed Records, said point being on the East-West one-quarter section line through said section, 508.2 feet East of the one-quarter section corner between Sections 27 and 28; thence North along the East line of said Stevens tract, 1030.3 feet to the center of Holcomb County Road; thence South 68° 15' East, 118.50 feet to a point; thence South 72° 30' East along the center of said Holcomb Road, 357.61 feet to the Northeast corner of that tract conveyed to Edward R. Dillon, et ux, by Deed recorded in Book 667, Page 902, Clackamas County Deed Records; thence South 0° 02' West, 31.45 feet to a 1 inch iron pipe on the Southerly line of Holcomb Road; thence North 72° 31' 40" West along the Southerly right of way line of Holcomb Road, 120.00 feet to an iron rod set at the true point of beginning; thence South 17° 28' 20" West, 108.66 feet to an iron rod; thence South 74° 01' West, 39.72 feet to an iron rod; thence South 13° 55' West, 39.52 feet to an iron rod; thence South 89° 56' 20" West, 116.24 feet to an iron rod on the West line of said Dillon tract; thence North 0° 03' 40" West along the West line of said Dillon tract, 115.00 feet to an iron rod set at the Southwest corner of a tract of land conveyed to Paul P. Addie, Jr., et al, by Deed recorded March 28, 1969, as Recorder's Fee No. 69-5100, Clackamas County Records; thence North 89° 56' 20" East, 7.00 feet to an iron rod at the Southeast corner of said tract; thence North 0° 52' 30" East, 97.30 feet to an iron rod set on the Southerly line of Holcomb Road and being the Northeast corner of said Addie tract, (the last mentioned point being South 72° 31' 40" East, 9.00 feet from an iron rod found at the Northwest corner of said Addie tract); thence South 72° 31' 40" East along the Southerly right of way line of Holcomb Road, 197.30 feet to the true point of beginning.

82 14911

22 E 27 B 1202

SAFECO TITLE INSURANCE CO. 37066

and acknowledged the foregoing instrument to be her voluntary act and deed

the president and that the latter is the secretary of the a corporation, and that said instrument was signed in behalf of said corporation by authority of its board of directors, and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:  
Notary Public for Oregon  
My commission expires: 11/19/83

Before me:  
Notary Public for Oregon  
My commission expires:

\* If the consideration consists of or includes other property or value, add the following:  
"The actual consideration consists of or includes other property or value given or promised which is part of the whole consideration (indicate which):"

Gloria S. Dillon

Grantor's Name and Address

Eugene Pardella & Deborah Mae Pardella

Grantee's Name and Address

After recording return to:  
Eugene Pardella and Deborah Mae Pardella  
15172 S. Holcomb Blvd.  
Oregon City, Oregon 97045  
Name, Address, Zip

Until a change is requested all tax statements shall be sent to the following address:  
same as above

Name, Address, Zip

ORL-303 (Rev. 5-80) 9177-LH

1097246

STATE OF OREGON  
County of Clackamas  
I, George O. Popen, County Clerk, Ex-Officio  
Recorder of Conveyances and Ex-Officio Clerk  
do hereby certify that the within instrument of writing was recorded for  
and recorded in the records of said county at

82 MAY 28 P 4: 32



Witness  
George O. Popen  
County Clerk  
Recording Certificate  
82 14911  
CCT-BA

MN

03.19.12



22E27B 1202

SAFECO TITLE INSURANCE CO. 5-37066

Encumbrances: Easements as recorded in Recorder's Fee No. 80-7280 in favor of adjacent property for ingress, egress, utilities and water

The true consideration for this conveyance is \$ 57,500.00 (Here comply with the requirements of ORS 93.030\*)

Dated this 28th day of May, 1982, if a corporate grantor, it has caused its name to be signed by order of its board of directors.

*Gloria S. Dillon*  
Gloria S. Dillon

STATE OF OREGON, )  
County of Clackamas ) ss.  
May 28, 1982 )  
Personally appeared the above named  
Gloria S. Dillon,  
and acknowledged the foregoing instrument to be her voluntary act and deed

Before me:  
*Philip J. Pugh*  
Notary Public for Oregon  
My commission expires: 11/19/83

STATE OF OREGON, County of ) ss.  
19  
Personally appeared and  
who, being duly sworn,  
each for himself and not one for the other, did say that the former is  
the president and that the latter is the  
secretary of the  
a corporation, and that said instrument  
was signed in behalf of said corporation by authority of its board of  
directors; and each of them acknowledged said instrument to be its  
voluntary act and deed.

Before me:  
Notary Public for Oregon  
My commission expires:

\*If the consideration consists of or includes other property or value, add the following:  
The actual consideration consists of or includes other property or value given or promised which is part of the whole consideration (indicate which):

Gloria S. Dillon  
Grantor's Name and Address  
Eugene Pardella & Deborah Mae Pardella  
Grantor's Name and Address  
After recording return to:  
Eugene Pardella and Deborah Mae Pardella  
15172 S. Holcomb Blvd.  
Oregon City, Oregon 97045  
Name, Address, Zip  
Until a change is requested all tax statements shall be sent to the following address:  
same as above  
Name, Address, Zip

STATE OF OREGON ) ss.  
County of Clackamas )  
I, George D. Popen, County Clerk, Ex-Officio  
Recorder of Conveyances and Ex-Officio Clerk  
of the County of Clackamas, do hereby certify that  
the within instrument of writing was received for  
and recorded in the records of said county at

82 MAY 28 P 4: 32



82 14911  
COR 82

## **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 0.69 acres in the northeast side of the City, generally located on the south side of Holcomb Boulevard. 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 the Oregon City Commission has submitted the following ballot title for the proposal:

### **BALLOT TITLE**

**MEASURE No. \_\_\_\_\_**

**CAPTION:** MEASURE APPROVING ANNEXATION OF 0.69 ACRES INTO OREGON CITY

**QUESTION:** Shall 0.69 acres on the south side of Holcomb Boulevard be annexed into the Oregon City city limits?

**SUMMARY:**Annexation is the legal process to bring property into the city limits. Because of a failing septic system, Debbie and Eugene Pardella, the applicants and property owners have asked the city to bring one 0.69 acre parcel of land located on the south side of Holcomb Boulevard into the city limits. The legal description of the property is T2S R2E Section 27B Tax Lot 1202.

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NANCY IDE, City Recorder