

RESOLUTION NO. 12-26

A RESOLUTION REGARDING ANNEXATION PROPOSAL NO. AN 12-04 AND REFERRING TO THE LEGAL VOTERS OF OREGON CITY THE QUESTION OF APPROVING ANNEXATION PROPOSAL NO. AN 12-04

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 12-04 that their property be annexed to the City of Oregon City; and

WHEREAS, the City of Oregon City City Commission, Oregon, reviewed the annexation proposal during a public hearing on August 15, 2012 and found that it can comply with all applicable legal requirements, as detailed in the findings attached hereto and made a part of this Resolution as Exhibit 'B'; 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 within and served by the Clackamas River Water (CRW) District service area; and

WHEREAS, with approval of the annexation, future water lines serving the property will be withdrawn from CRW and connected to the Oregon City water distribution system; and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; 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 12-04, 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 0.89 acres of land located at 14362 S Maplelane 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 6, 2012 election:

MEASURE No. _____

CAPTION: MEASURE APPROVING ANNEXATION OF 0.89 ACRES INTO OREGON CITY

QUESTION: Shall 0.89 acres of land located at 14362 S Maplelane Road be annexed into the Oregon City city limits?

SUMMARY: Annexation is the legal process to bring property into the city limits. Property owner Gary Bowles has asked the city to bring one 0.89 acre parcel of land located at 14362 S Maplelane Road into the city limits. The legal description of the property is Clackamas County Map T3S R2E Section 4C Tax Lot 1600.

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 property is designated as Low-Density Residential on the Oregon City Comprehensive Plan land use map. 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.

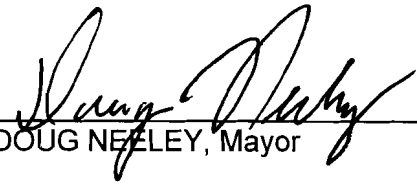
Section 4. The Notice of Ballot Title, as set forth in Exhibit 'B,' is hereby approved and the City Recorder is hereby authorized and directed to take all measures necessary for the holding of the election on the measure described in this resolution.

If the legal voters of Oregon City approve the annexation, the identified territory shall be withdrawn from the Clackamas River Water District when future development of the property occurs.

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 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 15th day of August, 2012.


DOUG NEELEY, Mayor

Attested to this 15th day of August 2012:


Nancy Ide, City Recorder

Approved as to legal sufficiency:

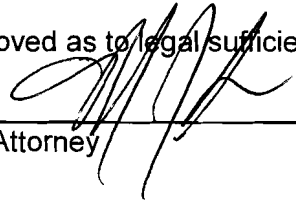

City Attorney

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 0.89 acres on the southeast side of the City. 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 _____, which is seven business days after this notice.

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 0.89 ACRES INTO OREGON CITY

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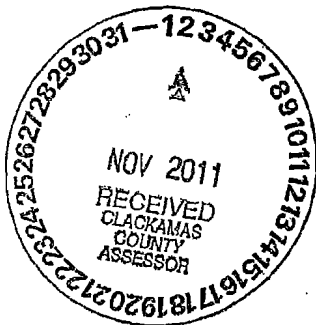
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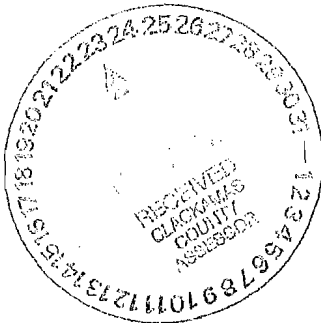
NANCY IDE, City Recorder

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 32E 04 C) 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.



DT Shin
NAME CRAIG FERRIS
GIS CARTOGRAPHER 2
TITLE CARTOGRAPHER III
DEPARTMENT ASSESSMENT & TAX
COUNTY OF CLACKAMAS
DATE 11-2-11 5-23-2012



LEGAL DESCRIPTION
for
CITY OF OREGON CITY ANNEXATION APPLICATION - AN 11-03

A tract of land being that parcel of land conveyed to Gary Bowles in Clackamas County Deed Records 78-21128 and a portion of Maplelane Court (formerly Maplelane Road), both being within the Southwest 1/4 of Township 3 South, Range 2 East of the Willamette Meridian in the County of Clackamas, Oregon and more particularly described as follows:

Beginning at a point on the south line of said Lot 6, Block B of the vacated plat "Westover Acres" being 132.38 feet East from the southwest corner of said Lot 6 and also being the most southerly corner of the parcel of land conveyed to Gary Bowles in Clackamas County Deed Record #78-21128; thence North along the east line of said Bowles parcel, 97.25 feet more or less to the Southwest corner of Lot 2, Block B of the vacated plat "Westover Acres"; thence continuing North along the westerly boundary of said Lot 2, and a portion of which coincides with the easterly boundary of said Bowles parcel, 312.37 feet to the northwest corner of said Lot 2 and the former southeasterly line of Maplelane Road, but now lies within the Maplelane Court right-of-way; thence northwesterly perpendicular to the right-of-way of the former Maplelane Road, 60 feet to the northwesterly right-of-way line of the former Maplelane Road, now known as Maplelane Court; thence southwesterly along said northwesterly right-of-way line of Maplelane Court, 200 feet more or less to a point being the most southerly corner of that parcel of land conveyed to Theresa M. Madigan and Gloria Gay Giesbrecht, in Clackamas County Deed Record # 73-7366; thence leaving the northwesterly right-of-way line of said Maplelane Court, southeasterly along the southerly extension of the southwest line of said Madigan parcel 60 feet more or less to the southeasterly right-of-way line of Maplelane Court and also being on the northwesterly line of said Bowles parcel; thence southwesterly along said southeasterly right-of-way line of Maplelane Court and the northwesterly line of said Bowles parcel, 52.44 feet more or less to the most westerly corner of said Bowles parcel; thence Southeasterly along the southwesterly boundary of said Bowles parcel 317.07 feet more or less to the point of beginning.



3 2E 4C

WASHINGTON WILLIAMS NO. 56
J.G. SWAFFORD (UNRECORDED)

14000

14300

14500

18500

CANCELLED T/L'S

1100	1201E1
200	809
1202	1200
801	810
301	2202
1601	2201
805	2100
2101	
1301	
701	
2201	
1000	
1701	
1803	
2203	
2204	

107 2E 403

1800

19600

3 2E 4C
BOOK 29

