

ORDINANCE NO. 4827

AN ORDINANCE ANNEXING ONE TAX LOT AT 9650 SW 166TH AVENUE AND THE ADJACENT RIGHT OF WAY ALONG SW 166TH AVENUE; WITHDRAWING THE PROPERTIES AND ADJACENT RIGHT OF WAY FROM THE TUALATIN VALLEY WATER DISTRICT, WASHINGTON COUNTY ENHANCED SHERIFF'S PATROL DISTRICT, WASHINGTON COUNTY SERVICE DISTRICT FOR LIGHTING, AND WASHINGTON COUNTY URBAN ROAD MAINTENANCE DISTRICT; AND ADDING THE PROPERTIES AND ADJACENT RIGHT OF WAY TO THE SEXTON MOUNTAIN NEIGHBORHOOD ASSOCIATION COMMITTEE; ANX2022-0001

- WHEREAS,** ORS 222.125 grants the City of Beaverton (City) authority to initiate an expedited annexation process with the consent of all landowners of the territory to be annexed; and
- WHEREAS,** the owner of the subject parcel at 9650 SW 166th Avenue and identified as tax lot 02000 on Washington County Tax Assessor tax map 1S130DD submitted a petition to annex the parcel into the City; and
- WHEREAS,** the right of way in the annexation area is within the Urban Planning Area Agreement Annexation Area A and is not a County road that is designated for long-term County jurisdiction in the County's Transportation System Plan; and
- WHEREAS,** the parcel and adjacent right of way are in Beaverton's Assumed Urban Services Area, and Policy 5.3.1.d of the City's acknowledged Comprehensive Plan states: "The City shall seek to eventually incorporate its entire Urban Services Area"; and
- WHEREAS,** ORS 222.520 specifies that whenever a part less than the entire area of a water district becomes incorporated as or annexed to a city, the city may cause that part to be withdrawn from the district at any time after such incorporation or annexation; and
- WHEREAS,** the withdrawal of the area from the Tualatin Valley Water District is consistent with City policies and is in the best interest of the City; and
- WHEREAS,** the Council finds that the City complied with the criteria and notice provisions of Metro Code Section 3.09.045 for expedited annexations; and
- WHEREAS,** Council Resolution No. 3785 sets forth annexation policies for the City, and this action implements those policies; now, therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

- Section 1.** The tax lot and adjacent right of way described in **Exhibit A** and shown on **Exhibit B**, which are attached and incorporated by these references, are annexed to the City of Beaverton, effective on the date the ordinance is filed with the Secretary of

State as specified by ORS 222.180, or 30 days from the date of adoption, whichever is later.

- Section 2.** Pursuant to Beaverton Code Section 9.06.035(A), the parcel shall be added to the Sexton Mountain Neighborhood Association Committee Boundary.
- Section 3.** The Council withdraws the parcel from the Tualatin Valley Water District, Washington County Enhanced Sheriff's Patrol District, Washington County Service District for Lighting, and the Washington County Urban Road Maintenance District.
- Section 4.** The Council adopts as findings in support of its decision the staff report attached as **Exhibit C**, which is incorporated by this reference, and finds that this annexation meets all applicable approval criteria.
- Section 5.** The City Recorder shall place a certified copy of this Ordinance in the City's permanent records, and the Community Development Department shall forward a certified copy of this Ordinance to Metro and all necessary parties within five working days of adoption.
- Section 7.** The Community Development Department shall transmit copies of this Ordinance and all other required materials to all public utilities and telecommunications utilities affected by this Ordinance in accordance with ORS 222.005.
- Section 8.** The Council authorizes the City Attorney to approve the final form of the metes and bounds legal description to incorporate any revisions needed to meet the requirements of the State of Oregon for the area annexed by this ordinance, as shown on **Exhibit B**, which is attached and incorporated by this reference.

First reading this 16th day of August, 2022.

Public hearing before Council this 20th day of September, 2022.

Duly passed by the Council this 20th day of September, 2022.

Signed by the Mayor this 21st day of September, 2022.

ATTESTED:

SIGNED:


 CATHERINE JANSEN, City Recorder



 LACEY BEATY, Mayor



EXHIBIT A

Annexation Description

May 3, 2022

A tract of land being a portion of the plat of MADRONA TERRACE No.2 in the SE 1/4 of Section 30, Township 1 South, Range 1 West, W.M., Washington County, Oregon, said portion being particularly described as follows:

Beginning at the SE corner of Lot 14 of said MADRONA TERRACE No.2, said corner being the initial point of said plat;

thence S89°51'00"W, 175.34 feet along the south line of said Lot 14 to the SW corner thereof;

thence continuing S89°51'00"W, 50.00 feet to the west right of way line of SW 166th Avenue;

thence N00°09'00"W, 185.00 feet along said west right of way line to the south right of way line of SW Spellman Drive;

thence continuing N00°09'00"W, 70.00 feet to the north right of way line of SW Spellman Drive;

thence N00°09'00"W, 135.00 feet along said west right of way line of SW 166th Avenue to the point of curve of a 10.00 foot radius curve to the left;

thence continuing on said west right of way line 15.71 feet on the arc of said curve through a central angle of 90°00'00" (the chord of said curve bears N45°09'00"W, 14.14 feet) to the south right of way line of SW Kemmer Road;

thence along said south right of way line N89°51'00"E, 70.00 feet to the east right of way line of said SW 166th Avenue and the point of curve of a non-tangent 10.00 foot radius curve to the left;

thence 15.71 feet along said east right of way line and the arc of said curve through a central angle of 90°00'00" (the chord of said curve bears S44°51'00"W, 14.14 feet);

thence continuing on said east right of way line S00°09'00"E, 290.00 feet to the NW corner of said Lot 14;

thence along the north line of said Lot 14 N89°51'00"E, 175.60 feet to the NE corner thereof;

thence S00°00'00"E, 100.00 feet along the east line of said Lot 14 to the Point of Beginning.

Contains 37590 square feet, or 0.86 acres, more or less.

The basis of bearings and dimensions of the foregoing description is the plat of MADRONA TERRACE No.2, plat records of Washington County.

REGISTERED
PROFESSIONAL
SURVEYOR

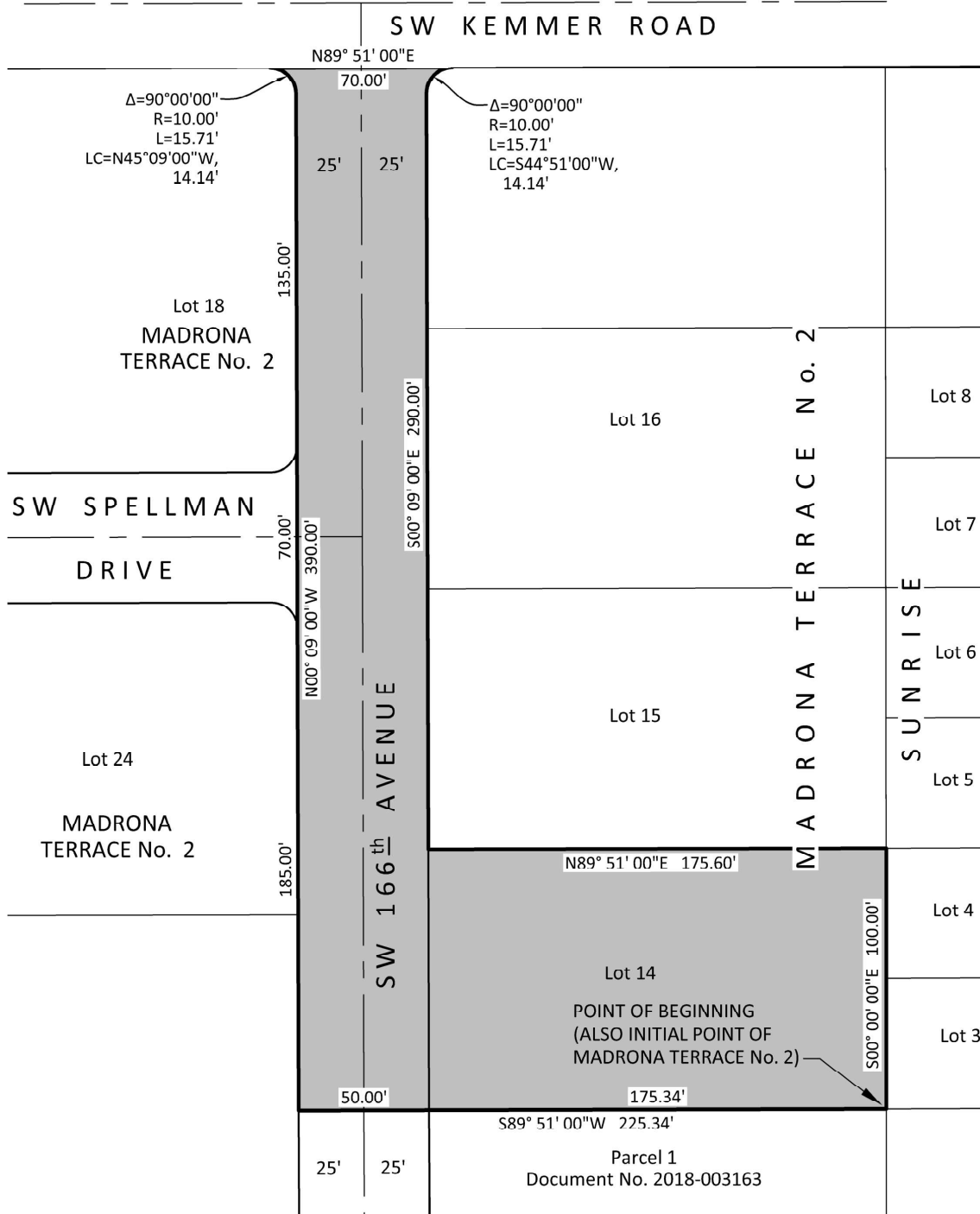
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OREGON
JULY 14, 1998
MARK J. MAYER
2887

EXPIRES: DECEMBER 31, 2022

EXHIBIT B

Lot 14 and a Portion of SW 166th Avenue,
MADRONA TERRACE No.2
SE 1/4 Sec. 30, T1S, R1W, W.M.



REGISTERED
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SURVEYOR

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Mark Mayer
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OREGON
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EXPIRES: DECEMBER 31, 2022



10 0 20
SCALE 1" = 20 FEET

Beaverton
OREGON
PUBLIC WORKS DEPARTMENT
Engineering Division

12725 SW Millikan Way
P.O. Box 4755
Beaverton, Or 97076
Ph: 503-526-2269

PROJECT NO. 2022-001
May 3, 2022
2022-001.dwg