



FINAL AGENDA

FORREST C. SOTH CITY COUNCIL CHAMBER
4755 SW GRIFFITH DRIVE
BEAVERTON, OR 97005

REGULAR MEETING
FEBRUARY 28, 2005
6:30 p.m.

CALL TO ORDER:

ROLL CALL:

VISITOR COMMENT PERIOD:

COUNCIL ITEMS:

STAFF ITEMS:

ORDINANCES:

Staff Report: Supplemental Staff Report Dated February 23, 2005, Pertaining to:
Agenda Bill 05027 Annexation 2004-0016 (Ordinance No. 4338);
Agenda Bill 05028 Annexation 2004-0017 (Ordinance No. 4339);
Agenda Bill 05029 Annexation 2004-0018 (Ordinance No. 4340); and
Agenda Bill 05030 Annexation 2004-0019 (Ordinance No. 4341)

Second Reading:

05027 An Ordinance Annexing Several Parcels Located in the Vicinity of the Elmonica and Merlo Light Rail Stations to the City of Beaverton: Annexation 2004-0016 (Ordinance No. 4338)

05028 An Ordinance Annexing Several Parcels Located in the Vicinity of the Sunset Highway and NW Cornell Road to the City of Beaverton: Annexation 2004-0017 (Ordinance No. 4339)

05029 An Ordinance Annexing Several Parcels Located in the Vicinity of the Millikan Way Light Rail Station Area to the City of Beaverton: Annexation 2004-0018 (Ordinance No. 4340)

05030 An Ordinance Annexing Four Parcels Located in the West Slope Neighborhood to the City of Beaverton: Annexation 2004-0019 (Ordinance No. 4341)

EXECUTIVE SESSION:

In accordance with ORS 192.660 (2) (h) to discuss the legal rights and duties of the governing body with regard to litigation or litigation likely to be filed and in accordance with ORS 192.660 (2) (e) to deliberate with persons designated by the governing body to negotiate real property transactions and in accordance with ORS 192.660 (2) (d) to conduct deliberations with the persons designated by the governing body to carry on labor negotiations. Pursuant to ORS 192.660 (3), it is Council's wish that the items discussed not be disclosed by media representatives or others.

ADJOURNMENT

This information is available in large print or audio tape upon request. In addition, assistive listening devices, sign language interpreters, or qualified bilingual interpreters will be made available at any public meeting or program with 72 hours advance notice. To request these services, please call 503-526-2222/voice TDD.



Supplemental Report Pertaining to:
Agenda Bills: 05027, 05028, 05029
and 05030

CITY of BEAVERTON

4755 S.W. Griffith Drive, P.O. Box 4755, Beaverton, OR 97076 General Information (503) 526-2222 V/TDD

CITY OF BEAVERTON SUPPLEMENTAL STAFF REPORT

TO: City Council

AGENDA DATE: February 28, 2005

STAFF REPORT DATE: Wednesday, February 23, 2005

STAFF: Hal Bergsma, Planning Services Manager *HB*
Alan Whitworth, AICP, Senior Planner *Alan*

SUBJECT: Elmonica & Merlo Light Rail Stations Areas Island Annexation (ANX 2004-0016), Sunset Hwy/Cornell Road Area Island Annexation (ANX 2004-0017), Millikan Way Station Area Island Annexation (ANX 2004-0018) and West Slope Area Island Annexation (ANX 2004-0019)

REQUEST: Annex 377 parcels containing approximately 257 acres in four separate areas to the City of Beaverton and add parcels to appropriate Neighborhood Association Committee (NAC) boundaries.

APPLICANT: City of Beaverton, Planning Services Division, 4755 SW Griffith Drive, Beaverton Oregon 97006

AUTHORIZATION: ORS 222.750 and Metro Code 3.09.050

APPLICABLE CRITERIA: Ordinance 2050, effective through Ordinance 4332, Section 40.85.15.1.C.1-7 (Text Amendment Approval Criteria)

HEARING HELD: February 7, 2005

RECOMMENDATION: Staff recommends the City Council Approve Elmonica & Merlo Light Rail Stations Areas Island Annexation (ANX 2004-0016), Sunset Hwy/Cornell Road Area Island Annexation (ANX 2004-0017), Millikan Way Station Area Island Annexation (ANX 2004-0018) and West Slope Area Island Annexation ANX 2004-0019.

I. LIST OF WRITTEN TESTIMONY RECEIVED PRIOR TO THE RECORD BEING CLOSED AT 5:00 PM ON FEBRUARY 14, 2005

1. Henry Kane – Letter dated February 3, 2005 (23 pages)
2. Henry Kane – Letter dated February 6, 2005 (121 pages)
3. Vicki Phillips, Superintendent Portland Public Schools, Letter dated February 7, 2005 (1 page)

Letter not objecting to the annexation of the Portland School property in the West Slope neighborhood.

4. Peter A. Stiven, CPM Portfolio Manager, OPUS, Letter dated February 4, 2005 (2 pages)

Letter objecting to the annexation of their property located in the area of the Sunset Hwy/Cornell Road Area Island Annexation (ANX 2004-0017)

5. Henry Kane - Letter dated and received Feb. 10, 2005. Re. Objections to Record on Appeal, Kane v. City of Beaverton, LUBA No. 2005-0018 (8 pages)

This letter is regarding two previous annexations that are currently under appeal to the Land Use Board of Appeals. Barnes Road/Cedar Hill Annexation (ANX 2004-0013) and the Mobile Home Corral Annexation (ANX 2004-0014)

6. Robert B. Aylwin, Osborn V. Blanchard, Bill Tracy - Testimony Opposing Beaverton's "Forced Annexation" dated Feb. 7, 2005. Received 2/10/05. (35 pages)

These documents primarily relate to the South Beaverton Islands Annexation (ANX 2005-0001). A public hearing is scheduled for that annexation on March 7, 2005 in Council Chambers at 6:30 PM.

7. Mike Myles & Bryan Cluff, American Homes, Inc. - Letter dated and received Feb. 11, 2005 (1 page)

A letter in opposition to the annexation of the Merlo Station Townhomes, which are partially constructed and partly under construction. This is part of the Elmonica & Merlo Light Rail Stations Annexation (ANX 2004-0016)

8. Westside Economic Alliance Board - Letter dated Feb. 10, 2005. Received Feb. 11, 2005. (4 pages)

The Westside Economic Alliance is recommending a deferral of these annexations to allow for more study and coordination with various service providers.

9. NIKE - Julia Brim-Edwards - Written testimony from Feb. 7, 2005 hearing. Received Feb. 14, 2005. (4 pages)

A letter in opposition to annexation without the consent of the property owners.

10. NIKE - Julia Brim-Edwards - Supplemental Information Letter dated and received Feb. 14, 2005 (3 pages)

A letter objecting to the annexation of a portion of Jay Street as part of the Elmonica & Merlo Light Rail Stations Annexation (ANX 2004-0016)

11. James E. Lyons - Testimony Opposing Beaverton's "Forced Annexation" dated Feb. 7, 2005. Received Feb. 14, 2005. (1 page)

A letter opposed to "Island Annexations".

12. Henry Kane - Letter dated and received Feb. 14, 2005. Re. Henry Kane Motion and Exhibits in Support of Written Testimony. (1 page)

13. Henry Kane - Letter and attachments dated Feb. 13, 2005. Received Feb. 14, 2005. Re. Feb. 13, 2005 Written Testimony of Opponent Henry Kane (97 pages; note page 51 was missing from this packet)

14. Diana Daggett – Westside Alliance

15. Scott P. Brown – Wells Real Estate Funds- Letter and attachment dated February 4, 2005. (9 pages)

Letter in opposition to annexing their property.

16. Joseph S. Voboril, TonkonTorp, Letter dated February 7, 2005 (5 pages)

Letter in opposition to annexing Costco property.

17. Barbara Block, VP Tektronix, Letter dated February 3, 2005 (1 page)

Letter stating concern about the annexations in their area.

II. SUMMARY OF ORAL TESTIMONY RECEIVED

During the public testimony portion of the February 7, 2005 Planning Commission Hearing, many issues were raised. The following is a paraphrased summary of those issues:

Dominic Biggi

Spoke regarding his property on the corner of Millikan and Shannon. He was opposed to this property being annexed at this time because the property taxes would increase by \$ 7,000 annually causing him to raise rents during a bad rental market. He would consider voluntarily annexing at a later time but did not want to be annexed now.

Mark Perniconi

Stated he represented the CE John Company. They were opposed to their property at Hocken and Millikan being annexed at this time because it would place them at an unfair competitive disadvantage compared to properties not being annexed in the Tektronix Business Park.

Barbara Block

Spoke for herself and John Kaye both of whom were representing Tektronix regarding ANX 2004-0018 (Millikan Way Station Area). Tektronix was opposed to annexation without the owners consent. They were happy with the services and the costs of those services provided by Washington County. They were opposed to increased taxes that would come from annexation to Beaverton.

Bob Frisbie

Speaking for Maxim Integrated Products stated they did not want to be annexed because their taxes would go up by \$237,000 and they are happy with their working relationship with Washington County. He asked that the City work with property owners. He stated that he was aware that Maxim was not part of the proposed annexation in response to a question from Mayor Drake.

George Kringelhede

He stated he owned property on Baseline and wanted to know how annexation would improve his services. He was opposed to his property being annexed.

Henry Kane

Read from his letter dated January 10, 2005 stating a belief that island annexations have not been upheld and do violate Constitutional rights. He referenced another letter he filed with the City on February 3, 2005. He requested that the record be kept open for seven days.

Joe Voboril

Represented Costco regarding ANX 2004-0016 (Elmonica & Merlo Light Rail Stations). He stated opposition to the City cherry picking high value properties to annex. He believed this process was legally flawed and bad public policy. He recommended that the City work with property owners.

John N. Neilsen

Stated he was speaking for his father Kaare M. Nielson who owned property at 640 SW 173rd Avenue that is part of ANX 2994-0016 (Elmonica & Merlo Light Rail Stations). His father has owned this property for over thirty years and operates a business there. He is opposed to having his property annexed at this time.

Bill Bugbee

He stated that he was a resident of Cooper Mountain and not affected by the proposed annexations. He expressed opposition to being annexed in the future because it would increase their taxes and might require them to connect to sanitary sewers. He recommended that people contact their legislators to amend ORS 195.

Janiece Staton

She stated that since nobody being proposed for annexation was allowed vote for City Council these annexations would be taxation without representation. Councilor Stanton pointed out that after annexation the residents would be able to vote for City Councilor's.

Julia Brim-Edwards

Represented NIKE. NIKE's property was not included in tonight's round of annexations. She stated the view that property owners should have the right to consent to being annexed. She stated that the City of Beaverton's change in policy toward annexation affected trust and the long term business climate of the area.

Robert Aylwin

Stated that he was from Tigard but would be subject to annexation next month. He stated a view that ORS 195 required the City and county to contact the Citizen Participation Organization (CPO) prior to initiating the interim services agreement.

Sheriff Rob Gordon

Expressed that both the Washington County Sheriff's Office and the Beaverton Police Department are fine organizations and any neighborhood would be well served by either of them.

Peter Stiven

Representing the owners of the Cornell West Office Building on NW Bethany, which is included in the Sunset Hwy/Cornell Road Annexation (ANX 2004-0017). He questioned whether the City had the authority, under ORS 222.750, to use non-City maintained streets to annex islands. ORS 222.750 does not seem to address who maintains property but whether it is within the City's boundaries. He expressed the view that there were no service deficiencies and annexation did not seem to offer any improvements. The higher tax rates created a problem for the property owners and tenants given the current high vacancy rates.

Scott Brown

Representing the Wells Real Estate Funds. He had submitted a letter that is in the record. He did not feel it was fair to annex a few commercial properties and this time and leave other areas for future study. He expressed opposition to his firm's property being annexed at this time.

III. DISCUSSION OF ISSUES

LEGALITY OF ANNEXATION METHOD

Issues have been raised about the legality of the annexation method. The City of Beaverton is processing these annexations as what are commonly referred to as "Island Annexation". The Oregon Revised Statute section is as follows:

ORS 222.750 Annexation of unincorporated territory surrounded by city. When territory not within a city is surrounded by the corporate boundaries of the city, or by the corporate boundaries of the city and the ocean shore or a stream, bay, lake or other body of water, it is within the power and authority of that city to annex such territory. However, this section does not apply when the territory not within a city is surrounded entirely by water. Unless otherwise required by its charter, annexation by a city under this section shall be by ordinance or resolution subject to referendum, with or without the consent of any owner of property within the territory or resident in the territory.

The City Attorney has opined that this annexation method is valid. City staff is unaware of any previous court decisions that conflict with these proposed annexations. A general standard for annexations is that they have to be reasonable. It is very likely that as the legislature has seen fit to determine that island annexations can be completed without consent, that a reviewing court would find these types of annexations per se reasonable. If a reviewing court does not find these types of annexations per se reasonable, it will examine several factors, all of which are met here. The first factor is whether the contiguous territory represents the actual growth of the city beyond its city limits. As all of these properties are currently surrounded by the City, this factor is clearly met. The second factor is whether the property is valuable by reason of its adaptability for prospective town uses. All of these properties have zoning designations that will be matched with similar City zoning designations. The current and future uses will be adaptable to the City's approved comprehensive plan and zoning maps. The third factor is whether the land is needed for extension of streets or to supply utilities. As these properties are already surrounded, this factor is not relevant. The fourth factor is whether the property and City will mutually benefit from the annexation. The property will receive additional public services and the City will make its boundaries more conforming and receive additional tax revenue. The Court of

Appeals has found a “cherry stem” annexation of more than 1,500 feet of road way to reach a parcel of land was reasonable. Clearly, the proposed island annexations meet this standard.

Statements of intent to appeal two recent island annexations by the City have been filed, and until those appeals are resolved it will not be known with certainty whether those annexations will be upheld. The courts, however, have not stayed those annexations so they have been completed.

On a related issue, in his testimony, Peter Stiven questioned whether the City had the authority, under ORS 222.750, to use non-City maintained streets to annex islands. It should be noted that although the roadways referenced by Mr. Stiven, NW Cornell Road and NW Bethany Boulevard, are not maintained by the City, any sanitary or storm sewer lines less than 24” in diameter in the right-of-way are maintained by the City.

SELECTION OF PROPERTIES TO BE ANNEXED

Questions have been raised about why some properties are proposed for annexation at this time while others in the vicinity are not, and whether this is fair to the owners of properties proposed for annexation. The City of Beaverton has attempted to rationally add to the City’s boundaries. In setting a policy on island annexation in November, 2004 the Council found that it is necessary to initiate the annexation of unincorporated islands within the City limits to:

- Minimize the confusion about the location of City boundaries for the provision of services;
- Improve the efficiency of city service provision, particularly police patrols;
- Control the development/redevelopment of properties that will eventually be within the City’s boundaries;
- Create complete neighborhoods and thereby eliminate small pockets of unincorporated land; and
- Increase the City’s tax base and minimize increasing the City’s mill rate.

In interpreting this policy and determining how best to implement it, City staff have not recommended annexing some properties or areas for a variety of reasons, including:

- The need to study the impacts of annexing large, primarily residential, areas such as Cedar Hills before undertaking the large increase in services they will require. The City Council must determine whether assuming the responsibility of providing urban services to these areas is in the best long-term interests of its citizens.
- Some industrial properties, such as the Tektronix campus, cannot be annexed by the City without their approval under existing State law.

- The City has delayed the annexation of other large islanded industrial properties in the hope that an agreement for voluntary annexation can be achieved.

THE IMPACT OF ISLAND ANNEXATIONS ON COMPETITIVENESS

Owners of some of the properties proposed for annexation that are developed with commercial or industrial buildings have argued that annexation will place their properties at a competitive disadvantage because they will need to increase their lease rates to cover the higher costs of property taxes levied by the City, while nearby properties will not be required to do so. Although it is true that the overall property tax rates in the City are higher than those in the unincorporated area, whether this will significantly affect the ability of those properties proposed for annexation to compete in the market is questionable. Many commercial and industrial properties now in the City have operated successfully without requesting a reduction in their taxes because nearby unincorporated properties, some of which are now proposed for annexation, could offer slightly lower lease rates. No clear evidence has been provided by those commercial and office property owners opposing this annexation that the higher property tax rates they would pay after annexation would significantly affect their ability to lease their properties or retain tenants.

THE QUALITY CITY VERSUS URBAN UNINCORPORATED AREA POLICE PROTECTION

Sheriff Gordon indicated concern in his oral testimony that staff was implying in its communications to the Council that his department offered a lower quality of service than the Beaverton Police Department. He believed both departments offer a high quality of police protection. Staff agrees. Both operations are highly rated by their peers and provide a level of police protection that is deemed adequate by those being served. However, there is no dispute that the City has approximately 1.5 patrol officers per thousand population, versus a ratio of approximately 1.0 officers per thousand in the urban unincorporated area provided by the County Sheriff and the Enhanced Sheriff's Patrol District (ESPD). Lacking other agreed-upon indicators of quality of service, this difference in staffing ratios indicates that the City is capable of offering a higher level of police services than can be provided in the unincorporated area. Creating more contiguous boundaries and fewer isolated islands should allow more efficient service to be provided by both the Beaverton Police and the Washington County Sheriff's Office.

THE EFFECT OF ANNEXATION ON DEVELOPMENTS IN PROGRESS

The developers of the Merlo Station Townhomes subdivision raised concerns about how annexation would affect their project, which is in progress with 99 of 128

planned townhomes under construction. They request that the remaining construction process be completed under Washington County's jurisdiction.

The City of Beaverton is open to allowing the County to complete its oversight of this project. This would require approval of an intergovernmental agreement between the City and the County. If the County is unwilling to enter into such an agreement, however, the City will do its best to ease and expedite the transition from County to City project oversight. Consistent with its Development Code and Urban Planning Area Agreement with Washington County, the City will honor all previous County development approvals and building permits.

AGENDA BILL

Beaverton City Council Beaverton, Oregon

2/28/05

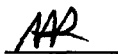
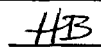
SUBJECT: An Ordinance Annexing Several Parcels
Located in the Vicinity of the Elmonica and
Merlo Light Rail Stations to the City of
Beaverton: Annexation 2004-0016

FOR AGENDA OF: ~~2/07/05~~ **BILL NO:** 05027

Mayor's Approval: 

DEPARTMENT OF ORIGIN: CDD 

DATE SUBMITTED: 1/25/05

CLEARANCES: City Attorney 
Planning Services 

PROCEEDING: ~~First Reading~~
Second Reading and Passage

EXHIBITS: Ordinance
Exhibit A - Map
Exhibit B - Legal Description
Exhibit C - Staff Report Dated 1/21/05

BUDGET IMPACT

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED \$0	BUDGETED \$0	REQUIRED \$0

HISTORICAL PERSPECTIVE:

This request is to annex approximately 136 acres in the vicinity of the Elmonica and Merlo Light Rail Stations to the City of Beaverton. This is what is commonly referred to as an island annexation and may proceed without the consent of the property owners or residents after the City Council holds a public hearing. It is being processed under ORS 222.750 and Metro Code 3.09.

INFORMATION FOR CONSIDERATION:

This ordinance and the attached staff report address the criteria for annexation in Metro Code Section 3.09.

Beaverton Code Section 9.06.035A provides the City Council the option of adding property to an appropriate Neighborhood Association Committee (NAC) at the time of annexation. Most of these parcels are currently within the Five Oaks Neighborhood Association Committee (NAC) boundaries. There are two areas that are not currently in a NAC. The area east of SW 158th Avenue and north of SW Jenkins and the area west of SW 170th Avenue and south of Baseline Road are not currently in a NAC. The Neighborhood Office is recommending that these two areas be added to the Five Oaks NAC.

Staff recommends that the City Council adopt an ordinance annexing the referenced property and adding any parcels not currently in the Five Oaks NAC to the NAC, effective 30 days after Council approval and the Mayor's signature on this ordinance or the date the ordinance is filed with the Secretary of State, whichever is later.

RECOMMENDED ACTION:

~~First Reading~~
Second Reading and Passage

Agenda Bill No: 05027

ORDINANCE NO. 4338

AN ORDINANCE ANNEXING SEVERAL PARCELS LOCATED IN
THE GENERAL VICINITY OF ELMONICA & MERLO LIGHT RAIL
STATIONS TO THE CITY OF BEAVERTON: ANNEXATION
2004-0016

- WHEREAS,** This annexation was initiated under authority of ORS 222.750, whereby the City may annex territory that is not within the City but that is surrounded by the corporate boundaries of the City, or by the corporate boundaries of the City and a stream, with or without the consent of property owners or residents; and
- WHEREAS,** These properties 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,** 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 properties shown on Exhibit A and more particularly described in Exhibit B are hereby annexed to the City of Beaverton, effective 30 days after Council approval and signature by the Mayor or the date the ordinance is filed with the Secretary of State, whichever is later.
- Section 2.** Pursuant to Beaverton Code Section 9.06.035A, all properties not currently in the Five Oaks Neighborhood Association Committee boundaries shall be added to its boundaries.
- Section 3.** The Council accepts the staff report, dated January 21, 2005, attached hereto as Exhibit C, and finds that:
- a. There are no provisions in urban service provider agreements adopted pursuant to ORS 195.065 that are directly applicable to this annexation; and
 - b. This annexation is consistent with the City-Agency agreement between the City and Clean Water Services in that partial responsibility for sanitary and storm sewer facilities within the area annexed will transfer to the City subsequent to this annexation.
- Section 4.** The Council finds this annexation will promote and not interfere with the timely, orderly, and economic provision of public facilities and services, in that:
- a. Those properties that lie within the Washington County Urban Road Maintenance District will be withdrawn from the district; and
 - b. Those properties that lie within the Washington County Street Lighting District #1, if any, will be withdrawn from the district; and
 - c. Those properties that lie within the Washington County Enhanced Sheriff Patrol District will be withdrawn from the district; and

- d. The City having annexed into the Tualatin Valley Fire and Rescue District in 1995, the properties to be annexed by this Ordinance shall remain within that district; and
- e. The territory will remain within boundaries of the Tualatin Valley Water District.

Section 5. The Council finds that this annexation complies with all other applicable criteria set out in Metro Code Chapter 3.09 as demonstrated in the staff report attached as Exhibit C.

Section 6. 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 the Mayor's approval.

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.

First Reading February 7, 2005
Date

Second Reading and Passed _____
Date

ATTEST:

APPROVED:

SUE NELSON, City Recorder

ROB DRAKE, Mayor

Date

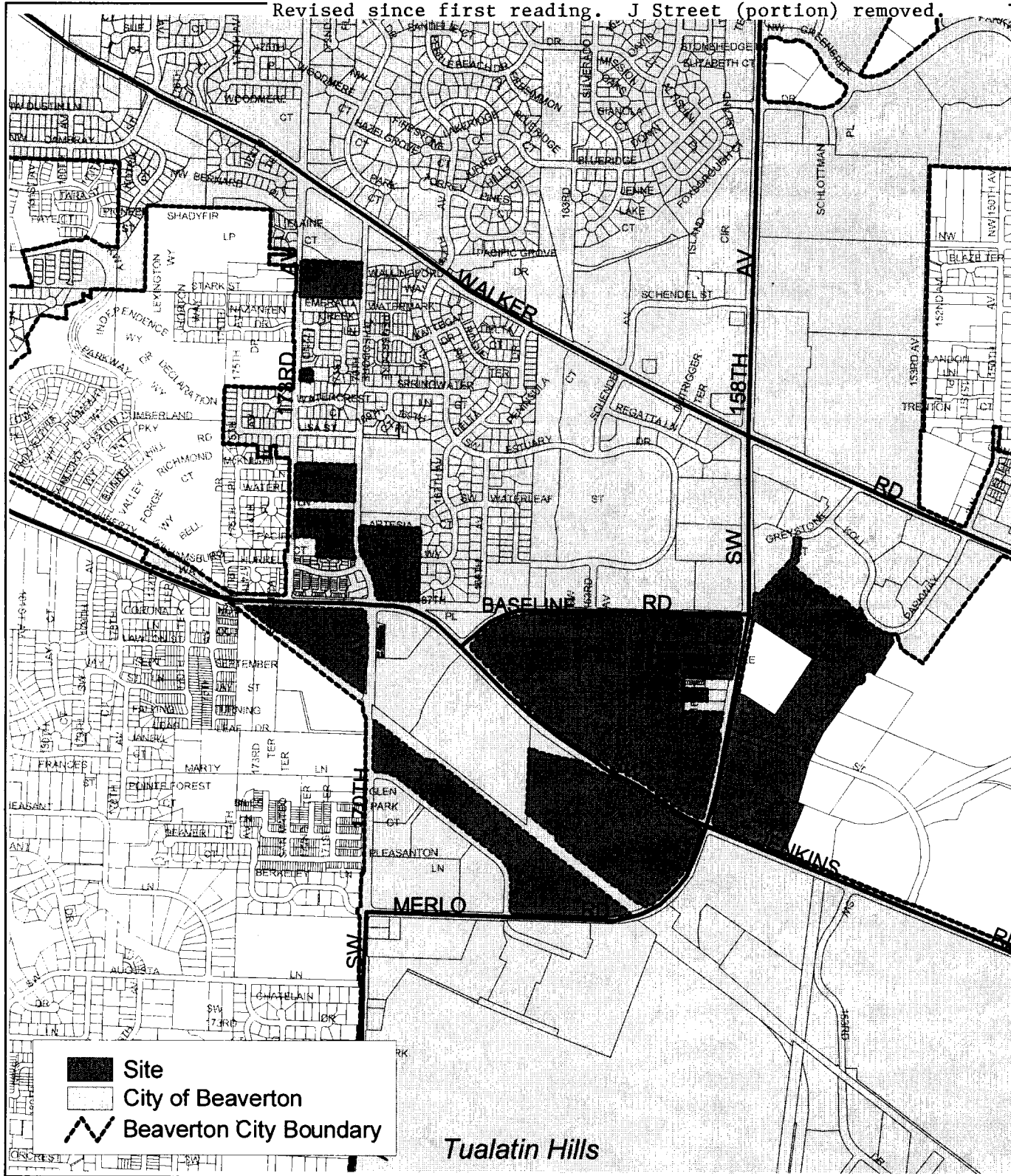
Date

VICINITY MAP

ORDINANCE
NO. 4338

EXHIBIT "A"

Revised since first reading. J Street (portion) removed.



CITY OF BEAVERTON

ELMONICA & MERLO LIGHT RAIL STATIONS AREAS ANNEXATION COMMUNITY DEVELOPMENT DEPARTMENT

Planning Services Division

02/15/05

Map #
Various



ANX 2004-0016

ORDINANCE NO. 4338

EXHIBIT B
LEGAL DESCRIPTION

ANX2004-0016
Tract 1

That certain parcel of land located in the Southwest ¼, Southeast ¼, Section 31, Township 1 North, Range 1 West, Willamette Meridian, Washington County, Oregon, more particularly described as follows:

Beginning at a point on the west right of way line of NW 170th Avenue, said point being south, 227.52 feet and south, 125.18 feet from the intersection of the west right of way line of NW 170th Avenue and the southerly right of way line of NW Walker Road; thence running west, 232.02 feet and west, 273.48 feet to the east right of way line of NW 173rd Avenue; thence south, along the east right of way line of SW 173rd Avenue to a point 136.52 north of the north line of Tracey Meadows Subdivision; thence east, parallel with said north line, 550.00 feet to the west right of way line of NW 170th Avenue; thence north, along said west line of NW 170th Avenue to the place of beginning.

ANX 2004-0016
Tract 2

That certain parcel of land located in the Northwest ¼, Northeast ¼, Section 6, Township 1 South, Range 1 West, Willamette Meridian, Washington County, Oregon, more particularly described as follows:

Beginning at the northwest corner of Lot 1, Watercrest Subdivision, said point also being on the east right of way line of SW 173rd Avenue; thence running north, along said east right of way line of SW 173rd Avenue 81.85 feet; thence north, 83° 19' 45" east, 105.81 feet; thence south, 00° 25' 00" west, 94.97 feet to the north line of Lot 1, Watercrest; thence west, along said north line to the place of beginning.

ANX 2004-0016
Tract 3

That certain parcel of land located in the Southwest ¼, Northeast ¼, Section 6, Township 1 South, Range 1 West, Willamette Meridian; Washington County, Oregon, more particularly described as follows:

Beginning at a point on the easterly right of way of SW 173rd Avenue, said point being the northwest corner of Lot 41, Grayoak; thence east, along the north line of said Lot 41 to the west right of way line of SW 170th Avenue; thence south, along said west right of way line of SW 170th Avenue 396 feet; thence west, perpendicular to said west right of way line of SW 170th Avenue to the east right of way line of SW 173rd Avenue; thence north, along said east right of way line of SW 173rd Avenue to the place of beginning.

ANX 2004-0016
Tract 4

That certain parcel of land located in the Southwest $\frac{1}{4}$, Northeast $\frac{1}{4}$, Section 6, Township 1 South, Range 1 West, Willamette Meridian, Washington County, Oregon, more particularly described as follows:

Beginning at a point on the east right of way line of SW 173rd Avenue, said point also being the northwest corner of Elmonica Meadows Subdivision; thence east, along the north line of Elmonica Meadows Subdivision to the west right of way line of SW 170th Avenue; thence southerly, along said west right of way line of SW 170th Avenue to the southeast corner of Elmonica Meadows Subdivision; thence west the south line of said to the southwest corner of Lot 15, Elmonica Meadows Subdivision; thence north, to the northwest corner of Lot 17, Elmonica Meadows Subdivision; thence west, to the east right of way line of SW 173rd Avenue, thence north, along said right of way line of SW 173rd Avenue to the place of beginning.

ANX 2004-0016
Tract 5

That certain parcel of land located in the Southeast $\frac{1}{4}$, Northeast $\frac{1}{4}$, Section 6, Township 1 South, Range 1 West, Willamette Meridian, Washington County, Oregon, more particularly described as follows:

Beginning at the northwest corner of tract "A" Steele Park, a plat of record, said point also being on the easterly right of way line of SW 170th Avenue, thence running east, 515.61 feet along the north line of said Steele Park to the east line of said Steele Park, said point also being the northeast corner of Lot 65, Steele Park; thence south, along the west line of said Steel Park to the southeast corner of Lot 16, Steel Park, said point also being the north right of way of SW Baseline Road; thence westerly, along the north right of way of SW Baseline Road to the point where said north right of way line intersects with the easterly right of way of SW 170th Avenue; thence northerly along the easterly right of way of SW 170th Avenue to the place of beginning.

ANX 2004-0016
Tract 6

That certain parcel of land located in the Northwest ¼, Southeast ¼, Section 6, Township 1 South, Range 1 West, Willamette Meridian, Washington County, Oregon, more particularly described as follows:

Beginning at a point where the southerly right of way line of SW Baseline Road intersects with the northeasterly right of way of the Metro Light Rail right of way; thence running east to the point where said southerly right of way of SW Baseline Road intersects with the westerly right of way of SW 170th Avenue, thence southerly, along said westerly right of way line of SW 170th Avenue to the point of intersection with the northeasterly right of way to the Metro Light Rail right of way line; thence northwesterly, along said Metro Light Rail right of way line to the place of beginning.

ANX 2004-0016
Tract 7

That certain parcel of land located in the Northeast ¼, Southeast ¼, Section 6, Township 1 South, Range 1 West, Willamette Meridian, Washington County, Oregon, more particularly described as follows:

Beginning at the southwest corner of Lot 3, Elmonica Station, a plat of record, said point also being on the easterly right of way of SW 170th Avenue; thence running east, 73.62 feet; thence northerly, 61.07 feet to a point on the east line of the Elmonica Station Condominiums; thence continuing northerly along the east line of said Elmonica Station Condominiums 230.24 feet; thence northwesterly along the north line of said Elmonica Station Condominiums to the east right of way line of SW 170th Avenue; thence south, along the east line of SW 170th Avenue to the place of beginning.

ANX 2004-0016
Tract 8

That certain parcel of land located in the Southeast ¼ of the Southeast ¼, Section 6, also the Southwest ¼, Southwest ¼, Section 5, Township 1 South, Range 1 West, Willamette Meridian, Washington County, Oregon, more particularly described as follows:

Beginning at the northwest corner of tract "A" Merlo Station, a plat of record, said point also being the intersection of the easterly right of way line of SW 170th Avenue and the southwesterly right of way line of Metro Light Rail; thence running southeasterly, along the southwesterly right of way line of Metro Light Rail to the point where said right of way line intersects with the northerly right of way line of SW Merlo Road; thence westerly, along the northerly right of way of SW Merlo Road to the point of intersection with the easterly right of way line of SW Merlo Drive; thence northerly, along said right of way line to the point of intersection with the easterly right of way line of SW 170th Avenue; thence north, along the easterly right of way line of SW 170th Avenue to the point of beginning.

ANX 2004-0016
Tract 9

That certain parcel of land located in the Southwest ¼, Southwest ¼, Section 5, Township 1 South, Range 1 West, Willamette Meridian, Washington County, Oregon, more particularly described as follows:

Beginning at a point on the westerly right of way of SW 158th Avenue, said point being the intersection with the northeasterly right of way of the Metro Light Rail; thence running northerly, along the westerly right of way of SW 158th Avenue to the point of intersection with the southerly right of way of SW Jenkins Road as described in dedication document 85-36243; thence along the southerly right of way of said SW Jenkins Road to the point of intersection with the southerly line of the vacated right of way of SW Jenkins Road as recorded in document 99-61262; 402.78 feet along a curve to the left; thence continuing along said southerly line 400.19 feet along a 945 foot radius curve to the right; thence south 481.34 feet to the northeasterly right of way line of the Metro Light rail; thence southeasterly, along the northeasterly right of way of the Metro Light rail to the place of beginning.

ANX 2004-0016
Tract 10

That certain parcel of land located in the Northeast ¼, Southeast ¼, Section 6, and the NW ¼, SW ¼, Section 5, Township 1 South, Range 1 West, Willamette Meridian, Washington County, Oregon, more particularly described as follows:

Beginning at a point on the westerly right of way line of SW 158th Avenue, said point also being the southeast corner of Lot 26, Sunset Gardens, a plat of record; thence northerly, along the westerly right of way line of SW 158th Avenue to the point of intersection with the southerly right of way line of SW Baseline Road; thence westerly along the southerly right of way line of SW Baseline Road to the point of intersection with the northerly right of way of SW Jenkins Road; thence southeasterly, along said northerly right of way line of SW Jenkins Road to the point of intersection with the westerly right of way line of SW 158th Avenue; thence northerly, along the westerly right of way line of SW 158th Avenue to the north line of Lot 38, Sunset Gardens; thence west, along the north line of both lots 38 and 39, Sunset Gardens to the east right of way line of SW 160th Avenue; said point also being the southwest corner of Lot 40, Sunset Gardens; thence north, along the east right of way line of SW 160th 100.00 feet to the south line of SW Kaylynn Lane; thence east along said south line, 200.00 feet; thence north, 100.00 feet to the northeast corner of Edgewood Meadows; thence west, along the north line of said Edgewood Meadows to the west right of way line of SW 160th Avenue; thence north, along the west right of way line of SW 160th Avenue, 100.00 feet to the north line of Reese Square Condominiums; thence east to the westerly right of way line of SW 158th Avenue, said point being the southeast corner of Lot 26, Sunset Gardens and the point of beginning.

Revised since first reading.

ANX 2004-0016
Tract 11

That certain parcel of land located in the Section 5, Township 1 South, Range 1 West, Willamette Meridian, Washington County, Oregon, more particularly described as follows:

Beginning at a point in the northeast $\frac{1}{4}$, southwest $\frac{1}{4}$ of said Section 5, said point being the southeast corner of Lot 5, Burlington Northern Windolph Industrial Park, also being on the northerly right of way of SW Jenkins Road; thence running northeasterly, 436.16 feet along the easterly line of said Lot 5 to the northeast corner of said Lot 5, said point also being on the southerly line of Lot 10 of Burlington Northern Windolph Industrial Park; thence westerly, along the southerly line of said Lot 10 to the southwest corner of said Lot 10; thence northerly, along the westerly line of said Lot 10, 364.33 feet to the southerly right of way line of SW Jay Street; thence northeasterly, across the right of way line of SW Jay Street to the intersection of the northerly right of way line of SW Jay Street and the easterly right of way line of SW Burlington Drive, said point being the northerly terminus of a 43foot radius curve; thence northeasterly, along the easterly right of way line of SW Burlington Drive to the northwest corner of Lot 15, Burlington Northern Windolph Industrial Park, said point also being on the southerly line of Lot 12 Bankoll Center Woodside No. 2, a plat of record; thence easterly, along the southerly line of said Lot 12 to a point which is northwesterly 16.03 feet from the southeast corner of said Lot 12; thence northeasterly, 180.48 feet; thence northwesterly, 16 feet; thence northeasterly, 152.98 feet; thence northerly, 65.15 feet to a point on the southerly right of way line of SW Koll Parkway; thence northwesterly, along the southerly right of way of SW Koll Parkway to a point which is 109.50 feet southerly from the point of tangency of SW Koll Parkway; thence (leaving said southerly right of way of SW Koll Parkway)

westerly, 28.44 feet; thence southwesterly, 40.31 feet; thence northwesterly, 178.85 feet; thence southwesterly, 45.91 feet; thence northwesterly, 14.89 feet; thence northeasterly, 3 feet more or less; thence northwesterly, 165.00 feet; thence westerly 31.24 to a point on the southwesterly line of Lot 8, Bankoll Center Woodside; thence northwesterly, along said southwesterly line of Lot 8, 252.00 feet; thence northeasterly 57.00 feet; thence northerly, 191.32 feet to a point on the southerly right of way of SW Greystone Court; thence westerly, along the southerly right of way of SW Greystone Court, 50.40 feet; thence southerly, 157.96 feet; thence southerly, along the arc of a 50 foot radius curve to the right, 28.87 feet; thence southwesterly, 132.35 feet; thence westerly, along the arc of a 38 foot radius curve to the left, 13.72 feet; thence southwesterly, 250.66 feet; thence westerly 57.52 feet to the easterly right of way line of SW 158th Avenue; thence southerly, along the easterly right of way line of SW 158th Avenue to the northwest corner of Lot 21, Burlington Northern Windolph Industrial Park; thence southeasterly, along the northerly line of said Lot 21 to the northeast corner of said Lot 21; thence southwesterly, along the easterly lines of Lots 20 and 21, Burlington Northern Windolph

Industrial Park to the southeast corner of said Lot 20; thence continuing southwesterly, 65.63 feet; thence northwesterly, 286.59 feet; thence westerly, 60.57 feet to the easterly right of way line of SW 158th Avenue; thence southerly along said easterly right of way line to the point of intersection with the northerly right of way line of SW Jenkins Road; thence southeasterly along the northerly right of way line of SW Jenkins Road to the southeast corner of Lot 5, Burlington Northern Windolph Industrial Park, said point also being the point of beginning.

AGENDA BILL

Beaverton City Council Beaverton, Oregon

2/28/05


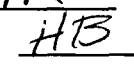
SUBJECT: An Ordinance Annexing Several Parcels
Located in the Vicinity of the Sunset
Highway and NW Cornell Road to the City
of Beaverton: Annexation 2004-0017

FOR AGENDA OF: ~~2/07/05~~ **BILL NO:** 05028

Mayor's Approval: 

DEPARTMENT OF ORIGIN: CDD 

DATE SUBMITTED: 1/25/05

CLEARANCES: City Attorney 
Planning Services 

PROCEEDING: ~~First Reading~~
Second Reading and Passage

EXHIBITS: Ordinance
Exhibit A - Map
Exhibit B - Legal Description
Exhibit C - Staff Report Dated 1/21/05

BUDGET IMPACT

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED \$0	BUDGETED \$0	REQUIRED \$0

HISTORICAL PERSPECTIVE:

This request is to annex approximately 56 acres in the vicinity of the Sunset Highway and NW Cornell Road to the City of Beaverton. This is what is commonly referred to as an island annexation and may proceed without the consent of the property owners or residents after the City Council holds a public hearing. It is being processed under ORS 222.750 and Metro Code Chapter 3.09.

INFORMATION FOR CONSIDERATION:

This ordinance and the attached staff report address the criteria for annexation in Metro Code Chapter 3.09.

Beaverton Code Section 9.06.035A provides the City Council the option of adding this property to an appropriate Neighborhood Association Committee (NAC) at the time of annexation. All of these parcels are currently within the Five Oaks Neighborhood Association Committee (NAC) boundaries with one exception. The exception is the parcel east of NW 158th Avenue adjacent to NW Cornell Road. The Neighborhood Office is recommending that this parcel not be added to a NAC at this time.

Staff recommends that the City Council adopt an ordinance annexing the referenced property, effective 30 days after Council approval and the Mayor's signature on this ordinance or the date the ordinance is filed with the Secretary of State, whichever is later.

RECOMMENDED ACTION:

~~First Reading~~
Second Reading and Passage

Agenda Bill No: 05028

ORDINANCE NO. 4339

AN ORDINANCE ANNEXING SEVERAL PARCELS LOCATED IN
THE GENERAL VICINITY OF SUNSET HWY/CORNELL ROAD
TO THE CITY OF BEAVERTON: ANNEXATION 2004-0017

- WHEREAS,** This annexation was initiated under authority of ORS 222.750, whereby the City may annex territory that is not within the City but that is surrounded by the corporate boundaries of the City, or by the corporate boundaries of the City and a stream, with or without the consent of property owners or residents; and
- WHEREAS,** The properties 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,** 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 properties shown on Exhibit A and more particularly described in Exhibit B are hereby annexed to the City of Beaverton, effective 30 days after Council approval and signature by the Mayor or the date the ordinance is filed with the Secretary of State, whichever is later.
- Section 2.** The Council accepts the staff report, dated January 21, 2005, attached hereto as Exhibit C, and finds that:
- a. There are no provisions in urban service provider agreements adopted pursuant to ORS 195.065 that are directly applicable to this annexation; and
 - b. This annexation is consistent with the City-Agency agreement between the City and Clean Water Services in that partial responsibility for sanitary and storm sewer facilities within the area annexed will transfer to the City subsequent to this annexation.
- Section 3.** The Council finds this annexation will promote and not interfere with the timely, orderly, and economic provision of public facilities and services, in that:
- a. The properties that lie within the Washington County Urban Road Maintenance District will be withdrawn from the district; and
 - b. The properties that lie within the Washington County Street Lighting District #1, if any, will be withdrawn from the district; and
 - c. The properties that lie within the Washington County Enhanced Sheriff Patrol District will be withdrawn from the district; and
 - d. The City having annexed into the Tualatin Valley Fire and Rescue District in 1995, the properties to be annexed by this Ordinance shall remain within that district; and
 - e. The territory will remain within boundaries of the Tualatin Valley Water District.

- Section 4.** The Council finds that this annexation complies with all other applicable criteria set out in Metro Code Chapter 3.09 as demonstrated in the staff report attached as Exhibit C.
- 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 6.** 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.

First Reading February 7, 2005
Date

Second Reading and Passed _____
Date

ATTEST:

APPROVED:

SUE NELSON, City Recorder

ROB DRAKE, Mayor

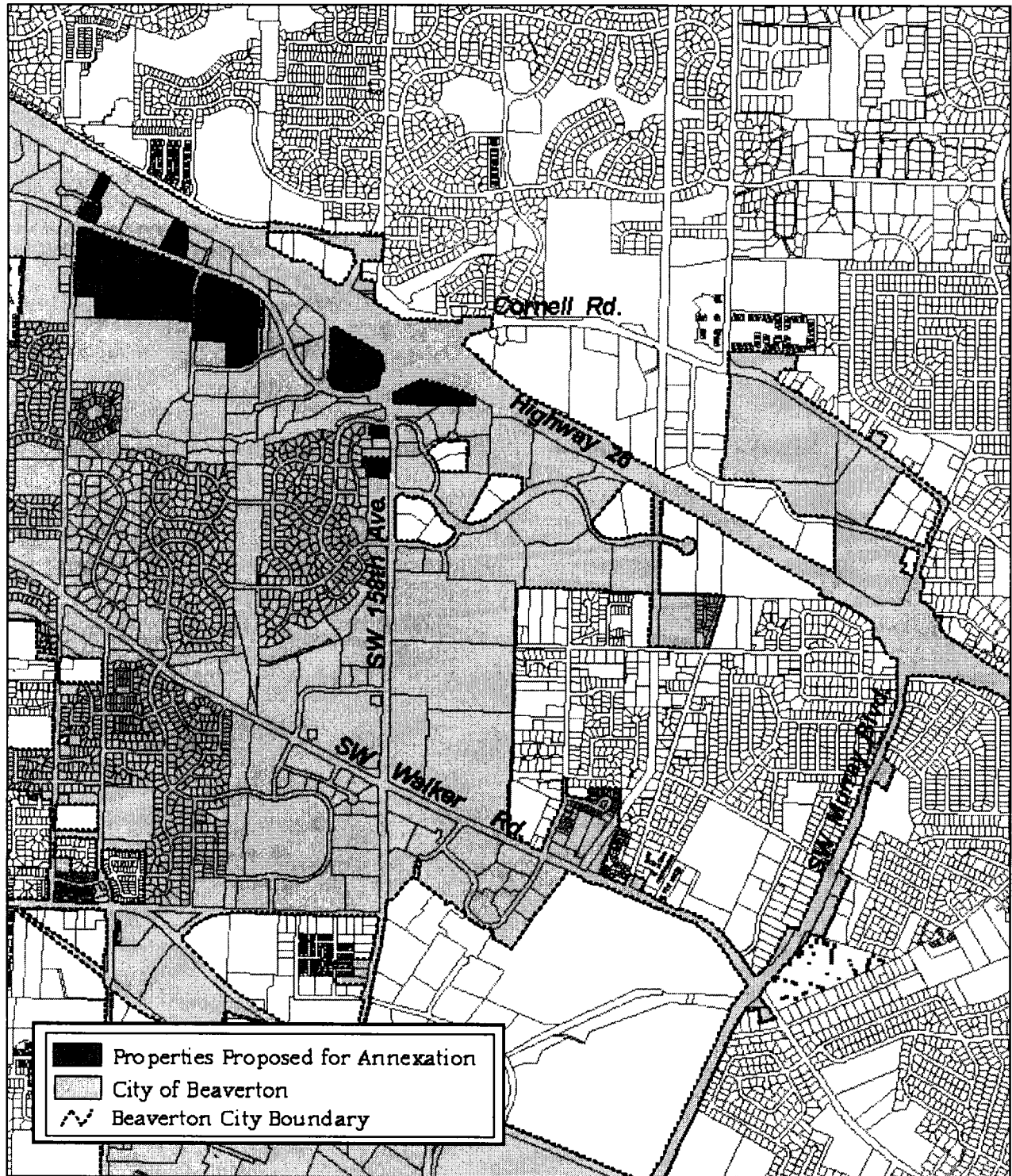
Date

Date

VICINITY MAP

ORDINANCE NO. 4339

EXHIBIT "A"



City of Beaverton

Sunset Hwy / Cornell Rd. Area Island Annexation

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Services Division

12/07/04

Map #
Various



Application #
ANX2004-0017

AGENDA BILL

Beaverton City Council Beaverton, Oregon

SUBJECT: An Ordinance Annexing Several Parcels
Located in the Vicinity of the Millikan Way
Light Rail Station Area to the City of
Beaverton: Annexation 2004-0018

2/28/05
FOR AGENDA OF: ~~2/07/05~~ **BILL NO:** 05029

Mayor's Approval: Rah Drake

DEPARTMENT OF ORIGIN: CDD Jay

DATE SUBMITTED: 1/25/05

CLEARANCES: City Attorney AR
Planning Services HB

PROCEEDING: ~~First Reading~~
Second Reading and Passage

EXHIBITS: Ordinance
Exhibit A - Map
Exhibit B - Legal Description
Exhibit C - Staff Report Dated 1/21/05

BUDGET IMPACT

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED \$0	BUDGETED \$0	REQUIRED \$0

HISTORICAL PERSPECTIVE:

This request is to annex approximately 42 acres in the vicinity of the Millikan Way Light Rail Station to the City of Beaverton. This is what is commonly referred to as an island annexation and may proceed without the consent of the property owners or residents after the City Council holds a public hearing. It is being processed under ORS 222.750 and Metro Code Chapter 3.09.

INFORMATION FOR CONSIDERATION:

This ordinance and the attached staff report address the criteria for annexation in Metro Code Chapter 3.09.

Beaverton Code Section 9.06.035A provides the City Council the option of adding this property to an appropriate Neighborhood Association Committee (NAC) at the time of annexation. None of these parcels are in a Neighborhood Association Committee area. The Neighborhood Office is recommending this area not be added to a NAC at this time.

Staff recommends that the City Council adopt an ordinance annexing the referenced property, effective 30 days after Council approval and the Mayor's signature on this ordinance or the date the ordinance is filed with the Secretary of State, whichever is later.

RECOMMENDED ACTION:

~~First Reading~~
Second Reading and Passage

ORDINANCE NO. 4340

AN ORDINANCE ANNEXING SEVERAL PARCELS LOCATED IN
THE GENERAL VICINITY OF MILLIKAN WAY LIGHT RAIL
STATION TO THE CITY OF BEAVERTON: ANNEXATION 2004-
0018

- WHEREAS,** This annexation was initiated under authority of ORS 222.750, whereby the City may annex territory that is not within the City but that is surrounded by the corporate boundaries of the City, or by the corporate boundaries of the City and a stream, with or without the consent of property owners or residents; and
- WHEREAS,** The properties 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,** 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 properties shown on Exhibit A and more particularly described in Exhibit B are hereby annexed to the City of Beaverton, effective 30 days after Council approval and signature by the Mayor or the date the ordinance is filed with the Secretary of State, whichever is later.
- Section 2.** The Council accepts the staff report, dated January 21, 2005, attached hereto as Exhibit C, and finds that:
- a. There are no provisions in urban service provider agreements adopted pursuant to ORS 195.065 that are directly applicable to this annexation; and
 - b. This annexation is consistent with the City-Agency agreement between the City and Clean Water Services in that partial responsibility for sanitary and storm sewer facilities within the area annexed will transfer to the City subsequent to this annexation.
- Section 3.** The Council finds this annexation will promote and not interfere with the timely, orderly, and economic provision of public facilities and services, in that:
- a. The properties will be withdrawn from the Washington County Urban Road Maintenance District and the Washington County Enhanced Sheriff Patrol District ; and
 - b. The properties that lie within the Washington County Street Lighting District #1, if any, will be withdrawn from the district; and
 - c. The City having annexed into the Tualatin Valley Fire and Rescue District in 1995, the properties to be annexed by this Ordinance shall remain within that district; and
 - d. The territory will remain within boundaries of the Tualatin Valley Water District.

- Section 4.** The Council finds that this annexation complies with all other applicable criteria set out in Metro Code Chapter 3.09 as demonstrated in the staff report attached as Exhibit C.
- 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 6.** 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.

First Reading February 7, 2005
Date

Second Reading and Passed _____
Date

ATTEST:

APPROVED:

SUE NELSON, City Recorder

ROB DRAKE, Mayor

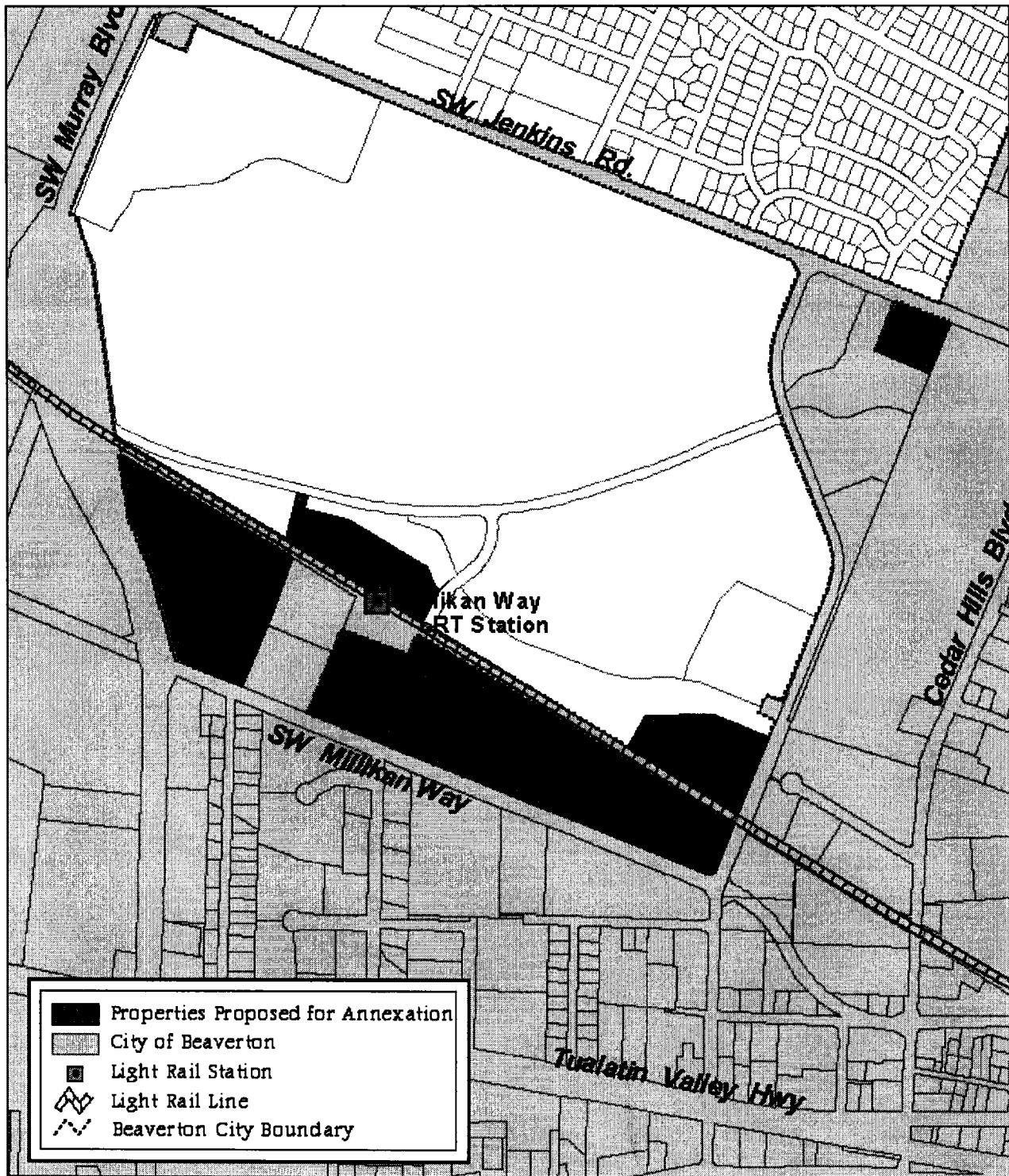
Date

Date

VICINITY MAP

ORDINANCE NO. 4340

EXHIBIT "A"



City of Beaverton

Millikan Way Station Area Island Annexation
COMMUNITY DEVELOPMENT DEPARTMENT
 Planning Services Division

12/07/04

Map #
Various



Application #
ANX2004-0016

AGENDA BILL

Beaverton City Council Beaverton, Oregon

2/28/05



SUBJECT: An Ordinance Annexing Four Parcels
Located in the West Slope Neighborhood to
the City of Beaverton: Annexation 2004-
0019

FOR AGENDA OF: ~~2/07/05~~ **BILL NO:** 05030

Mayor's Approval: 

DEPARTMENT OF ORIGIN: CDD 

DATE SUBMITTED: 1/25/05

CLEARANCES: City Attorney 
Planning Services 

PROCEEDING: ~~First Reading~~
Second Reading and Passage

EXHIBITS: Ordinance
Exhibit A - Map
Exhibit B - Legal Description
Exhibit C - Staff Report Dated 1/21/05

BUDGET IMPACT

EXPENDITURE REQUIRED \$0	AMOUNT BUDGETED \$0	APPROPRIATION REQUIRED \$0
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HISTORICAL PERSPECTIVE:

This request is to annex approximately 19 acres in the West Slope neighborhood to the City of Beaverton. This is what is commonly referred to as an island annexation and may proceed without the consent of the property owners or residents after the City Council holds a public hearing. It is being processed under ORS 222.750 and Metro Code Chapter 3.09.

INFORMATION FOR CONSIDERATION:

This ordinance and the attached staff report address the criteria for annexation in Metro Code Chapter 3.09.

Beaverton Code Section 9.06.035A provides the City Council the option of adding this property to an appropriate Neighborhood Association Committee (NAC) at the time of annexation. The school is in the West Slope Neighborhood Association Committee area but the remaining three parcels are not. The Neighborhood Office is recommending these three parcels be added to the West Slope NAC.

Staff recommends that the City Council adopt an ordinance annexing the referenced property and adding the three parcels not currently in the West Slope NAC to the NAC, effective 30 days after Council approval and the Mayor's signature on this ordinance or the date the ordinance is filed with the Secretary of State, whichever is later.

RECOMMENDED ACTION:

~~First Reading~~
Second Reading and Passage

Agenda Bill No: 05030

ORDINANCE NO. 4341

AN ORDINANCE ANNEXING SEVERAL PARCELS LOCATED IN
THE GENERAL VICINITY OF WEST SLOPE NEIGHBORHOOD
TO THE CITY OF BEAVERTON: ANNEXATION 2004-0019

- WHEREAS,** This annexation was initiated under authority of ORS 222.750, whereby the City may annex territory that is not within the City but that is surrounded by the corporate boundaries of the City, or by the corporate boundaries of the City and a stream, with or without the consent of property owners or residents; and
- WHEREAS,** These properties 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,** 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 properties shown on Exhibit A and more particularly described in Exhibit B are hereby annexed to the City of Beaverton, effective 30 days after Council approval and signature by the Mayor or the date the ordinance is filed with the Secretary of State, whichever is later.
- Section 2.** Pursuant to Beaverton Code Section 9.06.035A, all property not currently in the West Slope Neighborhood Association Committee boundaries shall be added to its boundaries.
- Section 3.** The Council accepts the staff report, dated January 21, 2005, attached hereto as Exhibit C, and finds that:
- a. There are no provisions in urban service provider agreements adopted pursuant to ORS 195.065 that are directly applicable to this annexation; and
 - b. This annexation is consistent with the City-Agency agreement between the City and Clean Water Services in that partial responsibility for sanitary and storm sewer facilities within the area annexed will transfer to the City subsequent to this annexation.
- Section 4.** The Council finds this annexation will promote and not interfere with the timely, orderly, and economic provision of public facilities and services, in that:
- a. The properties will be withdrawn from the Washington County Urban Road Maintenance District and the Washington County Enhanced Sheriff Patrol District; and
 - b. The properties that lie within the Washington County Street Lighting District #1, if any, will be withdrawn from the district; and
 - c. The City having annexed into the Tualatin Valley Fire and Rescue District in 1995, the properties to be annexed by this Ordinance shall remain within that district; and
 - d. The territory will remain within boundaries of the West Slope Water District.

- Section 5.** The Council finds that this annexation complies with all other applicable criteria set out in Metro Code Chapter 3.09 as demonstrated in the staff report attached as Exhibit C.
- Section 6.** 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 the Mayor's approval.
- 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.

First Reading February 7, 2005
Date

Second Reading and Passed _____
Date

ATTEST:

APPROVED:

SUE NELSON, City Recorder

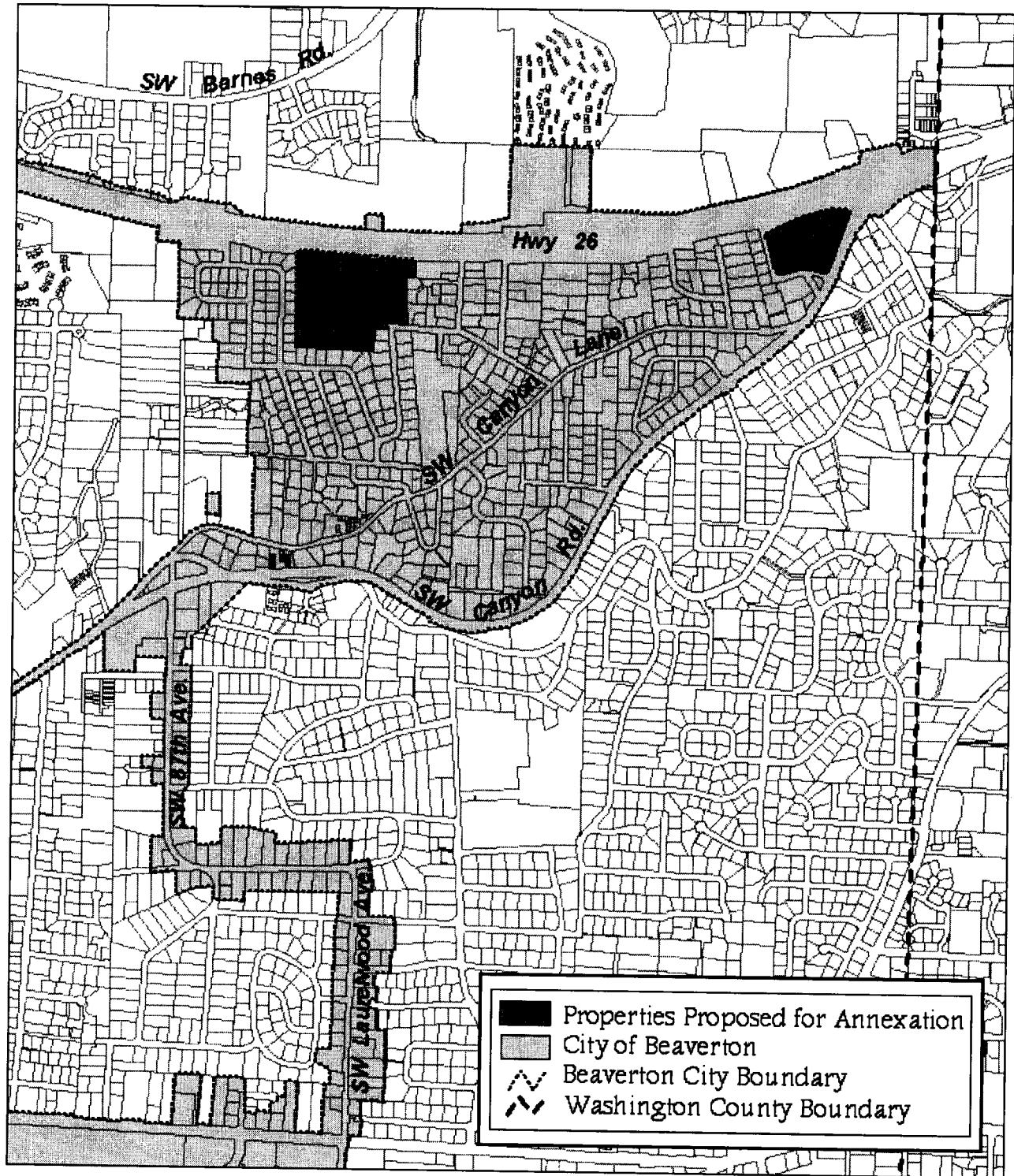
ROB DRAKE, Mayor

Date

Date

VICINITY MAP

ORDINANCE NO. 4341 EXHIBIT "A"



City of Beaverton

West Slope Area Island Annexation
COMMUNITY DEVELOPMENT DEPARTMENT
Planning Services Division

12/07/04

Map #
Various

N



Application #
ANX2004-0019