

AFFIDAVIT OF POSTING

ORDINANCE #191

STATE OF OREGON)
)
COUNTIES OF CLACKAMAS)
 AND WASHINGTON)
)
CITY OF WILSONVILLE)

I, the undersigned, City Recorder of the City of Wilsonville, State of Oregon, being first duly sworn on oath depose and say:


On the 16th day of September, I caused to be posted copies of the attached Ordinance #191, an ordinance annexing property into, changing the boundary of, and amending the urban boundary of the City of Wilsonville or property commonly known as 7600 S. W. Elligsen Road, in the following four public and conspicuous places of the City, to wit:

- WILSONVILLE CITY HALL
- WILSONVILLE POST OFFICE
- LOWRIE'S FOOD MARKET
- KOPPER KITCHEN

The ordinance remained posted for more than five (5) consecutive days prior to the time for said public hearing on the 21st day of September, 1981.


DEANNA J. THOM, City Recorder

Subscribed and sworn to before me this 9th day of October; 1981.


NOTARY PUBLIC, STATE OF OREGON

My commission expires: August 23, 1985

ORDINANCE NO. 191

AN ORDINANCE ANNEXING PROPERTY INTO, CHANGING THE BOUNDARY OF, AND AMENDING THE URBAN BOUNDARY OF THE CITY OF WILSONVILLE OF PROPERTY COMMONLY KNOWN AS 7600 S. W. ELLIGSEN ROAD.

WHEREAS, DOUG SEELEY is owner of Tax Lot 1300, T.3 S, R.1 W, Section 1, a 2.24 acre parcel commonly known as 7600 S. W. Elligsen Road, and which is hereinafter more particularly described, has requested the above property to be annexed to the City of Wilsonville; and

WHEREAS, the City of Wilsonville lies in both Washington County and Clackamas County, Oregon, the property is wholly in Washington County, and the City's boundary line abuts the property on three of its four sides; and

WHEREAS, the City of Wilsonville's boundary line and urban growth boundary line are one in the same and any annexation to the City would therefore constitute an amendment of the City's urban growth boundary; and

WHEREAS, the City's urban growth boundary indicates that this property is also coterminus with the urban growth boundary of Washington County; and

WHEREAS, Washington County has approved an amendment to its urban growth boundary line in order for this annexation and amendment to the City's boundary and urban growth boundary line to be effectuated; and

WHEREAS, the City's Planning Commission on May 11, 1981, upon and after public hearing did recommend approval of this annexation and boundary change and urban growth boundary amendment; and

WHEREAS, pursuant to Resolution No. CLXVIII (168), adopted May 18, 1981, and due notice having been given, the Wilsonville City Council called a public hearing on Monday, July 6, 1981, at the Wilsonville City Hall, Wilsonville, Oregon, commencing at 7:30 o'clock p.m., and there being no objections heard to the proposed annexation, City boundary change and amendment to the City's urban growth boundary; and

WHEREAS, the applicant has presented evidence as to the City's Comprehensive Plan criteria regarding same as well as set forth in the goals and guidelines of the Land Conservation and Development Commission of the State of Oregon (L.C.D.C.), and the Wilsonville City Council having considered the request and testimony and evidence presented, finds that the applicant has (1) demonstrated the annexation is in keeping with the need to accommodate urban population growth requirements to the year 2000 consistent with LCDC goals; (2) meets the criteria of need for housing, establishment of employment opportunities and livability; (3) has demonstrated that this annexation request would provide for an orderly and economic provision of public facilities and services through coordination of this development with the Parkway Center development; (4) would maximize

the efficiency of land uses within and on the fringe of the existing urban areas; (5) there would be no adverse but rather positive environmental, energy and economic and social consequences; (6) that the lands involved are urbanizable and meet the exception process regarding agricultural land, if applicable, as well as straightening the City's boundary and includes all right of way of Elligsen Road which the property abuts, the northern line of which forms the City's boundary on either side of the parcel which is an urban thoroughfare.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY OF WILSONVILLE, CLACKAMAS AND WASHINGTON COUNTIES, OREGON, that the City Council of Wilsonville does hereby approve the annexation and boundary change and amendment of the urban growth boundary of the City of Wilsonville, and that it does hereby request the Boundary Commission as established under the laws of the State of Oregon commence necessary proceedings for annexing the following described real property located in the County of Washington, State of Oregon, to-wit:

PARCEL I:

Beginning at a point 14 rods 10 1/2 feet West of the northeast corner of the southeast one-quarter of the southwest one-quarter of Section 1, in Township 3 South, Range 1 West of the Willamette Meridian, Washington County, Oregon; thence South 7 1/2 rods; thence West 11 1/2 rods; thence South 5 1/2 rods; thence West 24 rods; thence North 13 rods; thence East 35 1/2 rods to the place of beginning.

PARCEL II:

A tract of land situated in the southwest one-quarter of Section 1, Township 3 South, Range 1 West of the Willamette Meridian, in Washington County, Oregon, being more particularly described as follows, to-wit:

Beginning at an iron rod in the southerly right of way line of Elligsen Road, which iron rod bears North $0^{\circ}13'$ West 1327.3 feet, West 241.50 feet and South 20.00 feet from the one-quarter corner in the south boundary of said Section 1, Township 3 South, Range 1 West of the Willamette Meridian. From said place of beginning; thence South 103.75 feet to the southeasterly corner of that certain tract of land recorded in Book 410, page 161, Deed Records, Washington County, Oregon; thence East 10.00 feet; thence North 103.75 feet to said southerly right of way line of Elligsen Road; thence West 10.00 feet to the place of beginning.

PARCEL III (Elligsen Road Right-of-Way):

Beginning at the southeast corner of Section 1 Township 3 South Range 1 West Willamette Meridian, Washington County, State of Oregon and continuing in a westerly direction along said Section line 2640 Feet to the Southeast corner of the Southwest quarter of said Section; thence northerly 1555 feet to the Southerly right-of-way line along Southeast Elligsen Road. Thence West along said right-of-way a distance of 241.50 feet to a true point of beginning.

Beginning at said true point of beginning and continuing West along said right-of-way for Southwest Elligsen Road a distance of 585.75 feet; thence perpendicular to said right-of-way, Northerly a distance of 40 feet to the Northerly right-of-way along Elligsen Road; thence Easterly a distance of 585.75 feet; thence perpendicular to said right-of-way, Southerly 40 feet to true point of beginning.

Said property and both parcels thereof adjoin present boundaries of the City of Wilsonville, Oregon, and that it is in the best interests of the City of Wilsonville and the inhabitants thereof if said territory were annexed to the City of Wilsonville as well as amending the City of Wilsonville's urban

growth boundary and for the purpose of increasing the City's tax base and of providing and insuring the proper and orderly development of the property consistent with the City's Comprehensive Plan and goals and guidelines of L.C.D.C..

The City of Wilsonville has jurisdiction to annex said property and that if no action is taken by the Boundary Commission within sixty (60) days from the date this ordinance is filed with the Boundary Commission, that the City of Wilsonville will consider that the Boundary Commission has consented to said annexation, and the City of Wilsonville will then proceed to annex said property pursuant to the laws of Oregon.


Submitted to the Council and read the first time at a regular meeting thereof on the 8th day of September, 1981, and scheduled for second reading at a regular meeting of the Council on the 21st day of September, 1981, commencing at the hour of 7:30 o'clock p.m., at the Wilsonville City Hall.


Deanna J. Thom, City Recorder

ENACTED by the Council on the 21st day of September, 1981, by the following votes: YEAS 5 NAYS 0.


Deanna J. Thom, City Recorder

DATED and signed by the Mayor this 22nd day of September 1981.


William G. Lowrie, Mayor