

ORDINANCE NO. 1430-20

AN ORDINANCE ANNEXING TERRITORY LOCATED AT 23620, 23740 SW BOONES FERRY ROAD AND 9185, 9335, 9415 SW GREENHILL LANE (TAX MAP: 2S135D LOTS: 400, 401, 500, 501, 600, 800, AND 900) INTO THE CITY OF TUALATIN; ANNEXING PORTIONS OF SW LOWER BOONES-FERRY ROAD; WITHDRAWING THE TERRITORY FROM THE WASHINGTON COUNTY ENHANCED SHERIFF PATROL DISTRICT; AND ANNEXING TERRITORY INTO THE BOUNDARY OF CLEAN WATER SERVICES (ANN-19-0002)

WHEREAS, Stafford Development Company, LLC, representing Autumn Sunrise, LLC, submitted a petition for annexation of approximately 38 acres of property located at 23620, 23740 SW Boones Ferry Road and 9185, 9335, 9415 SW Greenhill Lane (Tax Map: 2S135D Lots: 400, 401, 500, 501, 600, 800, and 900), as well as annexing portions of SW Lower Boones-Ferry Road, hereafter called the "Property," into the City of Tualatin;

WHEREAS, the City of Tualatin is authorized to annex territory under ORS Chapter 222 and Metro Code Chapter 3.09;

WHEREAS, the annexation of the Property has been requested by 100 percent of the property owners, 100 percent of the electors, and qualifies for annexation under ORS 222.125;

WHEREAS, Washington County has not opposed the annexation in accordance with the Urban Growth Management Agreement between the County and the City;

WHEREAS, Metro does not oppose the annexation;

WHEREAS, under ORS 199.510(2)(c), when a city receives services from a district and is part of that district, any territory annexed to the city is to be included in the boundaries of the district and subject to all liabilities of the district in the same manner and to the same extent as other territory included in the district;

WHEREAS, the City receives sewer, storm, and surface water management services from Clean Water Services and is part of the Clean Water Services district, as referenced ORS 199.510(2)(c);

WHEREAS, the Property is in the Washington County Enhanced Sheriff Patrol District;

WHEREAS, ORS 222.520(1) authorizes cities to withdraw territory from districts concurrent with the annexation decision;

WHEREAS, notice of public hearing on the annexation petition was given as required by Tualatin Development Code 32.260;

WHEREAS, the Council conducted a public hearing relating to the annexation on March 23, 2020, where Council heard and considered the testimony and evidence presented by the City staff, the applicant, and those appearing at the public hearing; and

WHEREAS, after the conclusion of the public hearing Council determined the annexation is consistent with all applicable legal requirements of state law, Metro code, and City ordinances related to annexing property and voted to approve the application by unanimous vote.

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

**Section 1.** The Property identified in the legal description attached as Exhibit 1 and as more fully depicted in the map in Exhibit 2, which are both incorporated by reference, is hereby annexed to and made a part of the City of Tualatin.

**Section 2.** The findings attached as Exhibit 3, which are incorporated herein by reference, are hereby adopted.

**Section 3.** The City Recorder is directed to forward copies of this Ordinance to the Oregon Department of Revenue.

**Section 4.** Within five days of receipt of the required information from the Oregon State Department of Revenue, the City Recorder is directed to send copies of this Ordinance and the approval from the Oregon Department of Revenue to Metro for filing with the Oregon Secretary of State.

**Section 5.** The annexation of the Property is effective from the date the annexation is filed with the Oregon Secretary of State, as provided in ORS 222.180.

**Section 6.** On the effective date of the annexation, the Property is withdrawn from the Washington County Enhanced Sheriff Patrol District.

**Section 7.** On the effective date of the annexation, under ORS 199.510(2)(c), the property is also being annexed into the boundaries of Clean Water Services for the provision of sanitary sewer, storm, and surface water management.

**Section 8.** The City Recorder is directed to forward copies of this Ordinance and all other required materials to all public utilities and telecommunications utilities operating within the City in accordance with ORS 222.005.

Adopted by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2020.

CITY OF TUALATIN, OREGON

BY \_\_\_\_\_  
Mayor

APPROVED AS TO FORM

ATTEST:

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

BY \_\_\_\_\_  
City Recorder