

ORDINANCE NO. 868

AN ORDINANCE OF THE CITY OF WILSONVILLE ANNEXING APPROXIMATELY 4.92 ACRES OF PROPERTY LOCATED AT 7315 SW FROG POND LANE FOR DEVELOPMENT OF A 12-LOT RESIDENTIAL SUBDIVISION AT FROG POND OVERLOOK.

WHEREAS, an application for the Frog Pond Overlook subdivision has been submitted by West Hills Land Development, LLC – Owner/Applicant, in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code; and

WHEREAS, the subject site is located at 7315 SW Frog Pond Lane on Tax Lot 700, and a portion of SW Frog Pond Lane right-of-way, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon; and

WHEREAS, a petition (Exhibit B) submitted to the City requests annexation of certain real property legally described and depicted in Exhibit A; and

WHEREAS, Walter E. Remmers, an authorized signer for West Hills Land Development, LLC, representing 100 percent of the property ownership within the annexation area signed the petition; and

WHEREAS, there are no electors located within the annexation area; and

WHEREAS, ORS 227.125 authorizes the annexation of territory based on consent of all owners of land and a majority of electors within the territory and enables the City Council to dispense with submitting the questions of the proposed annexation to the electors of the City for their approval or rejection; and

WHEREAS, the land to be annexed is within the Urban Growth Boundary and has been master planned as part of the Frog Pond West Neighborhood; and

WHEREAS, the land to be annexed is contiguous to the City and can be served by City services; and

WHEREAS, Panel A of the Development Review Board considered the annexation and after a duly advertised public hearing held on September 12, 2022, adopted Resolution No. 407 (Exhibit D) recommending City Council approve the annexation; and

WHEREAS, on September 19, 2022, the City Council held a public hearing as required by Metro Code 3.09.050; and

WHEREAS, reports were prepared and considered as required by law; and because the annexation is not contested by any party, the City Council chooses not to submit the matter to the voters and does hereby favor the annexation of the subject tract of land based on findings, conclusions, and the Development Review Board's recommendation to City Council.

NOW, THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

- Section 1. Findings. The tract of land, described and depicted in Exhibit A, is declared annexed to the City of Wilsonville.
- Section 2. Determination. The findings and conclusions incorporated in Exhibit C are adopted. The City Recorder shall immediately file a certified copy of this ordinance with Metro and other agencies required by Metro Code Chapter 3.09.050(g) and ORS 222.005. The annexation shall become effective upon filing of the annexation records with the Secretary of State as provided by ORS 222.180.
- Section 3. Effective Date. This Ordinance shall be declared to be in full force and effect thirty (30) days from the date of final passage and approval.

SUBMITTED by the Wilsonville City Council at a regular meeting thereof this 19th day of September, 2022, and scheduled the second reading on the 3rd day of October, 2022, commencing at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.

Kimberly Veliz, City Recorder

ENACTED by the City Council on the 3rd day of October, 2022, by the following votes:

Yes: _____ No: _____

Kimberly Veliz, City Recorder

DATED and signed by the Mayor this 3rd day of October, 2022.

JULIE FITZGERALD MAYOR

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Lehan

Councilor West

Councilor Linville

EXHIBITS:

- A. Legal Description and Sketch Depicting Land/Territory to be Annexed
- B. Petition for Annexation
- C. Annexation Findings
- D. Development Review Board Panel A Resolution No. 407 Recommending Approval of Annexation