

ORDINANCE NO. 863

AN ORDINANCE OF THE CITY OF WILSONVILLE ANNEXING APPROXIMATELY 8.72 ACRES OF PROPERTY GENERALLY LOCATED BETWEEN SW GARDEN ACRES ROAD AND SW GRAHAMS FERRY ROAD INTO THE CITY LIMITS OF THE CITY OF WILSONVILLE, OREGON; THE LAND IS MORE PARTICULARLY DESCRIBED AS TAX LOT 100 AND A PORTION OF SW GRAHAMS FERRY ROAD RIGHT-OF-WAY, SECTION 3D, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON. GARY S. RYCHLICK AS TRUSTEE OF THE EILEEN RYCHLICK TRUST, GARY S. AND SUSAN M. RYCHLICK, AS INDIVIDUALS, PETITIONERS.

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

WHEREAS, Gary S. Rychlick as Trustee of the Eileen Rychlick Trust, and Gary S. and Susan M. Rychlick, as individuals, together representing 100 percent of the property ownership within the annexation area signed the petition; and

WHEREAS, Gary S. Rychlick, representing a majority of the electors within the annexation area signed the petition; 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 question 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 Coffee Creek Industrial Area; and

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

WHEREAS, pursuant to Section 4.700 of the Development Code the City Council shall review quasi-judicial annexation requests in the Coffee Creek Industrial Design Overlay District without prior review or recommendation by the Development Review Board where concurrent with a quasi-judicial zone map amendment request as specified in Section 4.197 (.02) A; and

WHEREAS, pursuant to Section 4.700 of the Development Code this annexation ordinance expires 120 days from its effective date unless a Stage II Final Plan for the subject area is approved by the City; and

WHEREAS, on May 2, 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 and conclusions.

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

1. FINDINGS.

The tract of land, described and depicted in Exhibit A, is declared annexed to the City of Wilsonville.

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. Upon confirmation of a Stage II Final Plan approval, the annexation shall become effective upon filing of the annexation records with the Secretary of State as provided by ORS 222.180.

3. EFFECTIVE DATE OF ORDINANCE.

This Ordinance shall be declared to be in full force and effect thirty (30) days from the date of final passage and approval.

SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on the 2nd day of May, 2022, and scheduled the second reading on the 16th day of May, 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 16th day of May, 2022 by the following votes:

Yes: ___ No: ___

Kimberly Veliz, City Recorder

DATED and signed by the Mayor this 16th day of May, 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