



# NOTICE OF FINAL CITY COUNCIL DECISION ON ANNEXATION

Date Mailed: March 6, 2013

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**Owners/Applicants:** Jim & Debra Sears (O/A) and Emery Smith, Encore Homes, LLC (A)

**Location of Properties:** 12810 Alto Park Road (21E04BB01000)

**File No.:** AN 12-0016

In accordance with LOC 50.01.004.5, the City zoning designation of R-7.5 shall be applied on the subject lots immediately upon the effective date of the annexation.

**Date of Final City Council Decision:**

The City Council approved this annexation as set forth in Ordinance 2609 on March 5, 2013.

**Effective Dates:**

1. The effective date of the annexation Ordinance 2609 shall be on the 30<sup>th</sup> day after its enactment, April 4, 2013, pursuant to the Lake Oswego City Charter.
2. Effective Date of Annexation.

Following the filing of the annexation with the Secretary of State, the effective date of the annexation shall be upon the **later of either** (see note below):

- a. The 30<sup>th</sup> day following the date of adoption of the ordinance, or
- b. The date of filing of the annexation records with the Secretary of State.

Note: Pursuant to ORS 222.040(2), if the effective date of the annexation as established above is a date that is within 90 days of a biennial primary or general election or after the deadline for filing notice of election before any other election held by any city, district or other municipal corporation involved in the area to be annexed, then the effective date of the annexation shall be delayed until, and the annexation shall become effective on, the day after the election.

**To Learn More About the Effective Date of an Annexation**

Once the City of Lake Oswego has been notified that the Secretary of State has filed the documents (generally 3 to 4 weeks from the City Council's decision), the effective date of the annexation will be posted to the City's web site at:

<http://www.ci.oswego.or.us/planning/12-0016-12810-alto-park-road>

For additional information on the effective date, you may also contact:

Iris McCaleb  
City of Lake Oswego – Planning Division  
503/697-6591 or by e-mail at [imccaleb@ci.oswego.or.us](mailto:imccaleb@ci.oswego.or.us)

**Right to Appeal:** This decision may be appealed by filing a written Notice of Intent to Appeal with the State of Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of the decision, March 26, 2013. For more information, contact LUBA at:

Land Use Board of Appeals  
550 Capitol St. NE, Suite 235  
Salem, OR 97301-2552  
(503) 373-1265

**How to Obtain More Information:** The decision is available for review, and a copy may be obtained at cost at the following address:

Lake Oswego Building & Planning Services  
Planning Department  
Lake Oswego City Hall  
P. O. Box 369  
380 A Avenue  
Lake Oswego, OR 97034  
Phone (503) 697-6591

Or call

Paul Espe, Associate Planner  
Phone (503) 697-6577