Applicants/Owners: Craig Schultz, Bridge City Homes, LLC (A) and Cynthia E. Bennett & Bruce Wobbe (O/A)

File No.: AN 07-0001

Location of Property: 15950 Parker Road (21E07CA06200)

The City zoning designation of R-7.5 will be applied to the subject property immediately upon the effective date of annexation.

Date of Final City Council Decision:
The City Council approved this annexation as set forth in Ordinance 2487 on June 5, 2007.

Effective Dates:
1. The effective date of the annexation Ordinance 2487 shall be on the 30th day after its enactment, July 5, 2007, 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 30th 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/plan/Annexations/AnnexationCases.htm

(select annexation file number AN 07-0001)

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

Iris Treinen
City of Lake Oswego – Planning Division
503/697-6591 or by e-mail at itreinen@ci.oswego.or.us

Annexations/AN 07-0001/Notice of Final City Council Decision on Annexation
**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, June 5, 2007. 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 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
ORDINANCE NO. 2487

AN ORDINANCE ANNEXING TO THE CITY OF LAKE OSWEGO ONE PARCEL COMPRISING APPROXIMATELY 0.47 ACRES AT 15950 PARKER ROAD (21E07CA 06200); DECLARING CITY OF LAKE OSWEGO ZONING PURSUANT TO LAKE OSWEGO COMMUNITY DEVELOPMENT CODE SECTION 50.05.025; AND REMOVING THE PARCEL FROM CERTAIN DISTRICTS (AN 07-0001).

WHEREAS, annexation to the City of Lake Oswego of the territory shown in the map in Attachment "A" and described below, would constitute a contiguous boundary change under ORS 222.111, initiated by petition from the property owner; and

WHEREAS, the City has received consent to the proposed annexation from 100 percent of the owners of land in the territory; and

WHEREAS, there are no voters registered in the territory residing at the address.

WHEREAS, the part of the territory that lies within the Lake Grove Fire District #57 may, by operation of ORS 222.520, be withdrawn from that district immediately upon approval of the annexation; and

WHEREAS, the part of the territory that lies within the Clackamas County Enhanced Sheriff's Patrol District may, by operation of ORS 222.520, be withdrawn from the district upon approval of the annexation; and

WHEREAS, the part of the territory that lies within the Surface Water Management Agency of Clackamas County may, by operation of ORS 222.520, be withdrawn from that agency immediately upon approval of the annexation; and

WHEREAS, the City of Lake Oswego Community Development Code Section 50.05.25, specifies that where the Comprehensive Plan Map requires a specific Zoning Map designation to be placed on the territory annexed to the City, such a zoning designation shall automatically be imposed on territory as of the effective date of the annexation; and

WHEREAS, the Staff Report, which addresses applicable criteria, dated May 21, 2007, is hereby incorporated; and

WHEREAS, this annexation is consistent with Chapter 14 (Urbanization) of the City of Lake Oswego's acknowledged Comprehensive Plan and Metro Code Sections 3.09.050(b) and (d).
The City of Lake Oswego ordains as follows:

Section 1. The real property described as follows is hereby annexed to the City of Lake Oswego:

A tract of land located in the southwest quarter of Section 7, Township 2 South, Range 1 East of Willamette Meridian, Clackamas County, Oregon; more particularly described as follows:

All of Lot 50, Block 2, LAKE FOREST (Plat # 509), plat records of Clackamas County, Oregon.

Section 2. The annexed area lies wholly within the following districts and will be retained within these districts upon the effective date of annexation:

Lake Grove Park District
Lake Grove Water District #15

Section 3. The annexed area lies within the following districts and will be withdrawn from these districts upon the effective date of annexation:

Lake Grove Fire District #57
Clackamas County Enhanced Sheriff's Patrol District
Surface Water Management Agency of Clackamas County

Section 4. In accordance with the Community Development Code Section 50.05.25, the City zoning of R-7.5 will be applied to the annexed area immediately upon the effective date of annexation.

Section 5. The City Council hereby adopts the findings of facts and conclusions set forth in the May 16, 2007 staff report in support of this annexation ordinance.

Section 6.

a. Effective Date of Decision to Annex. Pursuant to Metro Code 3.09.050(f), the effective date of this annexation decision shall be immediately upon adoption, unless a governmental entity that qualifies as a "necessary party" under Metro Code 3.09.020(j) has contested this annexation, in which event this annexation decision shall be effective on the 10th day following the mailing of this ordinance by the City Recorder to Metro and to all necessary parties who appeared in this proceeding.

b. Effective Date of Annexation Ordinance. Pursuant to Lake Oswego City Charter, Section 34, this ordinance shall be effective on the 30th day after its enactment.
c. Effective Date of Annexation. Following the filing of the annexation records with the Secretary of State as required by ORS 222.177, this annexation shall be effective upon the later of either:

1. the 30th day following the date of adoption of this ordinance; or
2. the date of filing of the annexation records with the Secretary of State.

Provided, however, that 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.

Section 7. Mailing Copies of this Ordinance; Metro Notice.

Within 30 days following the date of adoption:

a. The City Recorder is hereby directed to mail a copy of this ordinance to all persons and governmental entities that appeared at the public hearing and requested a copy of the ordinance following adoption.

b. The City Recorder shall mail a copy of this ordinance together with the applicable mapping and notice fee charged by Metro pursuant to Metro Code 3.09.110, to Metro Data Resource Center, 600 NE Grand Ave., Portland, OR 97232.

Read by title only and enacted at the regular meeting of the City Council of the City of Lake Oswego held on 5th day of June, 2007.

AYES: Mayor Hammerstad, McPeak, Turchi, Groznik, Hennagin, Jordan
NOES: none

ABSTAIN: none

EXCUSED: Johnson

Judie Hammerstad, Mayor

Dated: 4/6/07
ATTEST:

Robyn Christie, City Recorder

APPROVED AS TO FORM:

David D. Powell City Attorney
Annexation to the City of Lake Oswego
AN 07-0001/Ordinance 2487

Effective Date: 7/5/07

Map and Lot #: 21E07CA TL 6200
City of Lake Oswego:
COMPREHENSIVE PLAN= R-7.5, Residential
ZONING= R-7.5, Residential
Clackamas County:
ZONING= R-10, Residential

ATTACHMENT A
(AN 07-0001/ORDINANCE 2487)