

ORDINANCE NO. 2582

AN ORDINANCE ANNEXING TO THE CITY OF LAKE OSWEGO ONE 0.61 ACRE PARCEL (LOCATED AT 14081 GOODALL ROAD) DECLARING CITY OF LAKE OSWEGO ZONING AND RP OVERLAY DISTRICT PURSUANT TO LOC 50.05.025; AND REMOVING THE TERRITORY FROM CERTAIN DISTRICTS (AN 11-0005).

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 as outlined in ORS 222.111(2); and,

WHEREAS, the City has received consent for the proposed annexation from 100 percent of the owners of land within the territory plus the two registered electors in the territory; and,

WHEREAS, the part of the territory that lies within the Lake Grove Fire District #57 will, by operation of ORS 222.520, be withdrawn from that district immediately upon approval of the annexation; and,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that lies within the Clackamas County Enhanced Sheriff's Patrol District will, by operation of ORS 222.520, be withdrawn from the district upon approval of the annexation; and,

WHEREAS, LOC 50.05.025 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 the territory as of the effective date of the annexation; and,

WHEREAS, this annexation is consistent with Chapter 14 (Urbanization) of the City of Lake Oswego's acknowledged Comprehensive Plan, Oregon Revised Statutes 222.111(2); 222.125; and 222.170 for boundary changes, and Metro Code Sections 3.09.050(b) and (d).

Now, therefore, 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:

Part of Lot 2, FOREST HILLS ACRES, in the County of Clackamas and State of Oregon being described as follows:

Beginning at the most Northerly corner of said Lot 2, FOREST HILLS ACRES; thence South 62°10' West along the Northwesterly line of said Lot 2, a distance of 155 feet; thence Southeasterly to a point in the Southeasterly line of said Lot 2 that is 155 feet Southwesterly along said lot line from the most Easterly corner of said Lot 2; thence North 61°45' East 155 feet to the most Easterly corner of

said Lot 2; thence Northwesterly along the Northeasterly lot line of said Lot 2 and the Southwesterly line of Goodall Road 172.61 feet to the point of beginning.

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

Lake Grove Park District

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 The annexed area lies within the following districts and shall be withdrawn from these districts upon the effective date of annexation:

Lake Grove Fire District #57

Clackamas County Enhanced Sheriff's Patrol District

Section 4. In accordance with LOC 50.05.025, the City zoning designation of R-7.5 and Resource Protection (RP) Overlay District shall be applied to the property as shown on Attachment B,

Section 5. Neighborhood Association Designation: In accordance with Goal 1 of the City's Comprehensive Plan, this parcel shall become a part of the Forest Highlands Neighborhood Association immediately upon the effective date of annexation.

Section 6. The City Council hereby adopts Exhibit A-1 to the staff report as the findings of facts and conclusions in support of this annexation ordinance.

Section 7. Effective Dates:

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 8. Mailing Copies of this Ordinance; Metro Notice.

Within 30 days following the date of adoption:

a. The City Recorder shall 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 the Metro Data Resource Center, 600 NE Grand Ave., Portland, OR 97232.

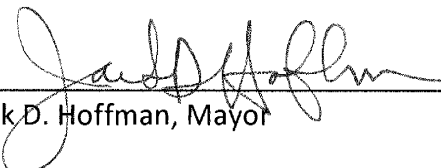
Read by title only and enacted at the regular meeting of the City Council of the City of Lake Oswego held on 17th day of April, 2012.

AYES: Mayor Hoffman, Gudman, Jordan, Moncrieff, Tierney

NOES: Olson

ABSTAIN: None

EXCUSED: Kehoe



Jack D. Hoffman, Mayor


Dated: 4/17/12

ATTEST:



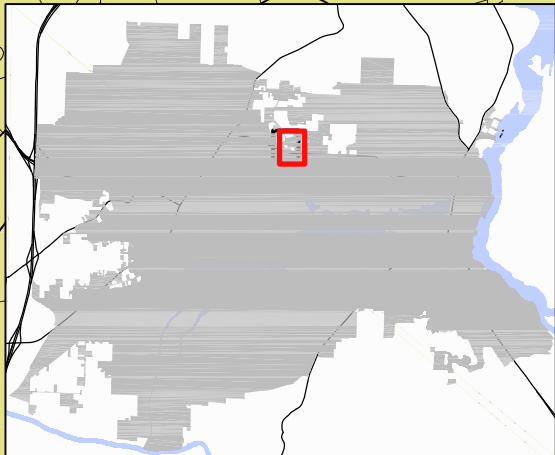
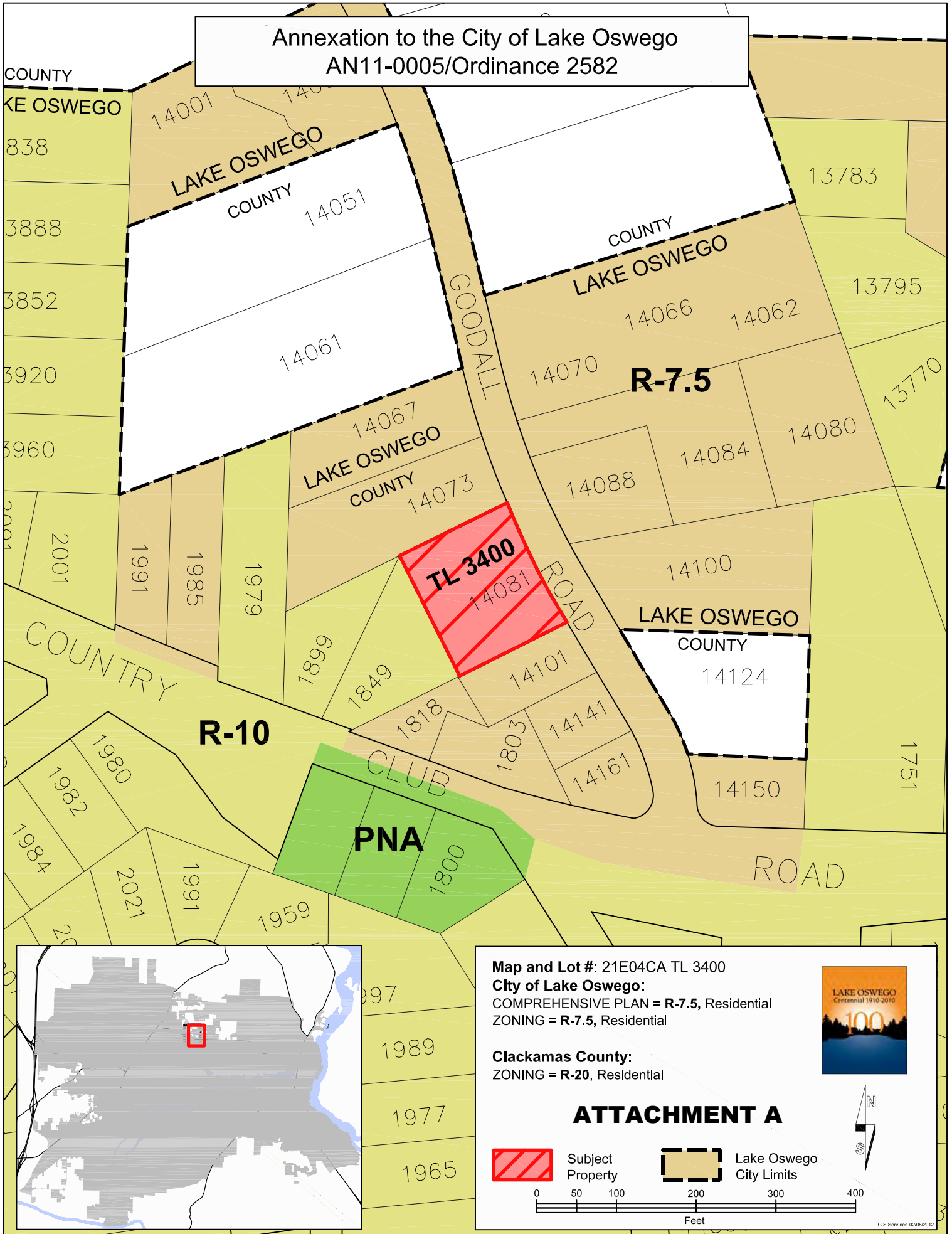
Cate Schneider, City Recorder

APPROVED AS TO FORM:



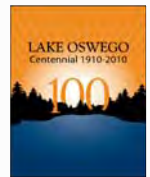
David Powell, City Attorney

**Annexation to the City of Lake Oswego
AN11-0005/Ordinance 2582**



Map and Lot #: 21E04CA TL 3400

City of Lake Oswego:
COMPREHENSIVE PLAN = R-7.5, Residential
ZONING = R-7.5, Residential



Clackamas County:
ZONING = R-20, Residential

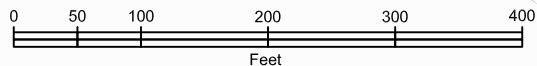
ATTACHMENT A



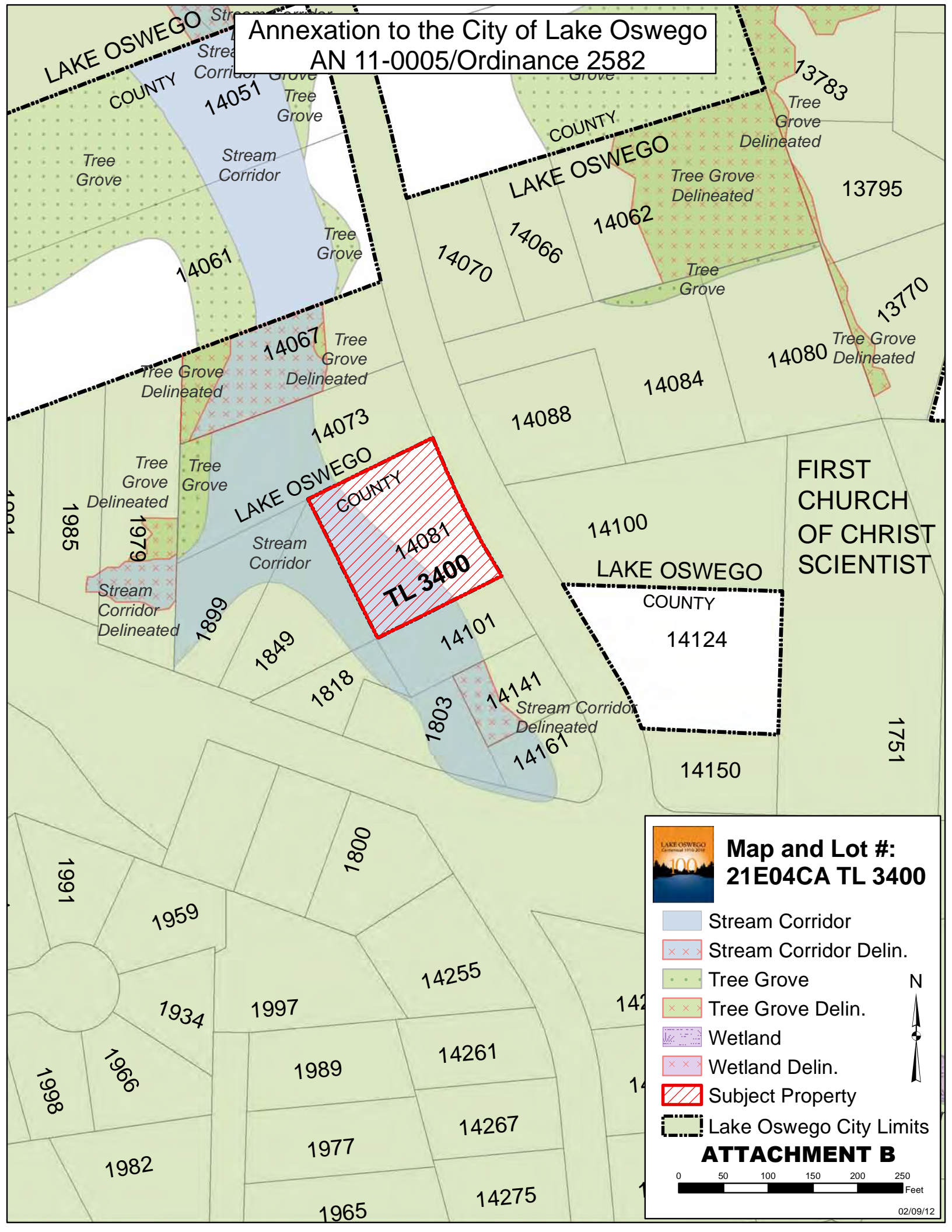
Subject Property



Lake Oswego City Limits



Annexation to the City of Lake Oswego
AN 11-0005/Ordinance 2582



FIRST
CHURCH
OF CHRIST
SCIENTIST

Map and Lot #:
21E04CA TL 3400

- Stream Corridor
- Stream Corridor Delin.
- Tree Grove
- Tree Grove Delin.
- Wetland
- Wetland Delin.
- Subject Property
- Lake Oswego City Limits

ATTACHMENT B

0 50 100 150 200 250 Feet

02/09/12