

**ORDINANCE No. 2591**

**AN ORDINANCE ANNEXING TO THE CITY OF LAKE OSWEGO FIVE PARCELS COMPRISING APPROXIMATELY 1.28 ACRES AND THE ADJACENT ROAD RIGHT OF WAY (LOCATED AT 18492, 18477, 18476, 18499, AND 18544, TIMBERGROVE COURT); DECLARING CITY OF LAKE OSWEGO ZONING PURSUANT TO LOC 50.01.004.5; AND REMOVING THE TERRITORY FROM CERTAIN DISTRICTS (AN 12-0003, AN 12-0004, AN 12-0005, AN 12-0006 AND AN12 0007).**

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 owners as outlined in ORS 222.111(2); and,

WHEREAS, the City has received consent to the proposed annexation from 100 percent of the owners of land within the territory plus the 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the part of the territory that lies within the Lake Grove Fire District #57 will, by operation of ORS 222.520, be withdrawn from that district upon approval of the annexation; and,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that lies within the Clackamas County Enhanced Sheriff's Patrol District will, by operation of ORS 222.520, be withdrawn from the district upon approval of the annexation; and,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, the part of the territory that lies within the Surface Water Management Agency of Clackamas County will by operation of ORS 222.250 be withdrawn from that agency immediately upon approval of the annexation; and,

WHEREAS, LOC 50.01.004.5 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, 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:

A tract of land located in the southeast quarter of Section 18, Township 2 South, Range 1 East of the Willamette Meridian, Clackamas County, Oregon; more particularly described as follows:

Beginning at the northwest corner of Lot 5, Block 3, plat of TUALATA GROVE, plat records of Clackamas County;

thence easterly along the north line of said Lot 5 and projection thereof to a point on the east right of way line of Timbergrove Ct;

thence northerly along said right of way line to the northwest corner of Lot 11, Block 2, plat of TUALATA GROVE;

thence easterly along the north line of said Lot 11 and projection thereof to a point on the east right of way line of Central Ave (vacated);

thence south along said east right of way line 240.10 feet to a point of intersection with the easterly projection of the south line of Lot 13, Block 2, plat of TUALATA GROVE;

thence westerly along said projection and said south line of Lot 13 and the westerly projection thereof, 200 feet to a point on the west right of way line of Timbergrove Ct;

thence northerly along said right of way line to the southeast corner of Lot 6, Block 3, plat of TUALATA GROVE;

thence westerly along the south line of said Lot 6 to the southwest corner thereof;

thence northerly along the west line of said Lot 6 and said Lot 5, 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  
Rivergrove Water District

Section 3. The Territory 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  
Surface Water Management Agency of Clackamas County

Section 4. In accordance with LOC 50.01.004.5, the City zoning designation of R-10 shall be applied to the annexed territory

Section 5. The City Council hereby adopts Exhibit A-1 to the Staff Report as the findings of fact and conclusions in support of this annexation ordinance.

Section 6. 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 10<sup>th</sup> 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 30<sup>th</sup> 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 30<sup>th</sup> 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 the election, 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 17th day of July, 2012.

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

NOES: None

ABSTAIN: None

EXCUSED: None

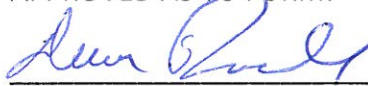
  
\_\_\_\_\_  
Jack D. Hoffman, Mayor

Dated: July 17, 2012

ATTEST:

  
\_\_\_\_\_  
Cate Schneider, City Recorder

APPROVED AS TO FORM:

  
\_\_\_\_\_  
David Powell, City Attorney

**Annexation to the City of Lake Oswego  
AN12-0003-AN12-0007/Ordinance 2591**

**R-10**

**R-7.5**

**R-10**

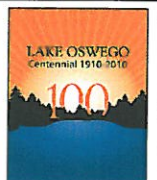
**R-10**

**County  
R-10**

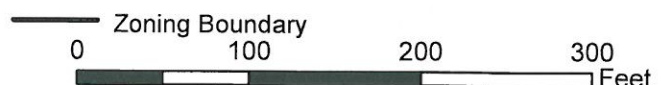
**County  
R-10**

**Map and Lot # 21E18DC TL's 1900, 2000,  
2100, 2700, 2800**

**City of Lake Oswego:  
COMPREHENSIVE PLAN = R-10, Residential  
ZONING = R-10, Residential**



- Lake Oswego City Limits
- Subject Properties



**ATTACHMENT A**

