



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

03/29/2012

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Happy Valley Plan Amendment
DLCD File Number 002-12

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Thursday, April 12, 2012

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Justin Popilek, City of Happy Valley
Angela Lazarean, DLCD Urban Planner
Jennifer Donnelly, DLCD Regional Representative

<paa> YA



FORM **2**

DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

In person electronic mailed

DATE STAMP

DEPT OF

MAR 26 2012

LAND CONSERVATION AND DEVELOPMENT

For Office Use Only

Jurisdiction: **City of Happy Valley CPA0112**

Local file number: **ANN0112-LDC0112-**

Date of Adoption: **3/20/2012**

Date Mailed: **3/22/2012**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: **2/14/2012**

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other: **Annexation**

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Annexed 18 properties, totaling 247 acres of land, and converted from Clackamas County to City of Happy Valley Comprehensive Plan designations/Zoning districts for all the subject properties.

Does the Adoption differ from proposal? Please select one

No

Plan Map Changed from: **Varies**

to: **SFA, MUR-A, and IPU**

Zone Map Changed from: **Varies**

to: **SFA, MUR-A, and IPU**

Location: **Varies**

Acres Involved: **246 .67**

Specify Density: Previous: **Varies**

New: **Varies**

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |
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Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD File No. 002-12 (19188) [16987]

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

City of Happy Valley, Metro

Local Contact: **Justin Popilek, Associate Planner**

Phone: (503) 783-3810 Extension:

Address: **16000 SE Misty Drive**

Fax Number: **503-658-5174**

City: **Happy Valley**

Zip: **97086-**

E-mail Address: **justinp@ci.happy-valley.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light green paper if available.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on 8½ -1/2x11 green paper only if available. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

Mayor
Honorable Lori DeRemer



City Manager
Jason Tuck

DATE: March 22, 2012

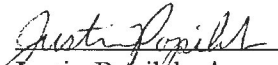
File No. ANN-01-12/LDC-01-12/CPA-01-12

NOTICE OF EXPEDITED DECISION

This is official notice of action taken by the Happy Valley City Council pursuant to Metro Code 3.09.045 with regard to an application for annexation to the City of Happy Valley. The subject properties are described as Clackamas County Assessor Map Numbers 13E30D 02303, 22E12BA12200, 23E06B 00200, 22E03AB00702, 22E03AB00703, 22E03AB00704, 22E03B 01100, 22E03B 01200, 22E03 01100, 22E03AB00300, 22E03AB00400, 22E03C 00200, 22E03C 00300, 22E03AC03800, 22E03B 01300, 22E03B 00400, 22E03B 00500, and 22E03DB00610.

The City Council formally approved the subject application/petition based upon findings included within the Staff Report dated March 20, 2012, and deliberations of the City Council.

Per Metro Code 3.09.045 decisions made pursuant to an expedited process are not subject to appeal by a necessary party pursuant to Section 3.09.070.


Justin Popilek, Associate Planner

cc: Petitioner
Necessary Parties
File

16000 SE Misty Drive
Happy Valley, Oregon 97086
Telephone: (503) 783-3800 Fax: (503) 658-5174
Website: www.ci.happy-valley.or.us

ORDINANCE NO. 423
CITY OF HAPPY VALLEY

AN ORDINANCE ANNEXING TERRITORY INTO THE CITY OF HAPPY VALLEY,
OREGON AND THE NORTH CLACKAMAS PARKS AND RECREATION
DISTRICT, WITHDRAWING SAID TERRITORY FROM THE CLACKAMAS
COUNTY ENHANCED LAW ENFORCEMENT DISTRICT, AMENDING OFFICIAL
MAP EXHIBIT 11 OF THE CITY OF HAPPY VALLEY LAND DEVELOPMENT
ORDINANCE NO. 97.

WHEREAS, pursuant to ORS 222.125 the City of Happy Valley received petitions signed by 100 percent of the owners of 100 percent of the properties with 100 percent of the assessed value of territory requesting annexation (ANN-01-12/LDC-01-12/CPA-01-12); and

WHEREAS, the proposed annexation territory consists of 18 tax lots totaling 246.67 acres of land adjacent to existing city boundaries; and

WHEREAS, the specific tax lots to be annexed include:

13E30D 02303, 22E12BA12200, 23E06B 00200, 22E03AB00702, 22E03AB00703, 22E03AB00704, 22E03B 01100, 22E03B 01200, 22E03 01100, 22E03AB00300, 22E03AB00400, 22E03C 00200, 22E03C 00300, 22E03AC03800, 22E03B 01300, 22E03B 00400, 22E03B 00500, and 22E03DB00610; and

WHEREAS, the City provided notice that the City Council would consider the annexation petitions, consistent with the applicable notice requirements of (1) Section 16.61.050 of the City's Land Development Code, (2) applicable provisions of Metro Code Chapter 3.09, and (3) applicable state law requirements; and

WHEREAS, the City has adopted an expedited decision process for annexations consistent with Metro Code Chapter 3.09.045; and

WHEREAS, pursuant to Section 16.67.070 of the Happy Valley Municipal Code, the tax lots proposed for annexation will be re-designated and re-zoned from existing Clackamas County designations/zones to the applicable city designations/zones per the City's Development Code; and

WHEREAS, the City Council considered the proposed annexation at its regularly scheduled City Council meeting on March 20, 2012; and

WHEREAS, the City Council deems it in the public's interest to declare an emergency so that this ordinance takes effect as specified below, prior to the expiration of the 30-day period specified in the City Charter.

Now, therefore, based on the foregoing,

THE CITY OF HAPPY VALLEY ORDAINS AS FOLLOWS:

Section 1. The City Council declares the territory described in Exhibit A, and depicted in Exhibit B is annexed to Happy Valley effective March 20, 2012.

Section 2. The City of Happy Valley declares through the legislative process that the following city comprehensive plan designations and zoning districts shall apply to the tax lots proposed for annexation, as pursuant to Section 16.67.070 of the Happy Valley Municipal Code:

13E30D 02303 - High Density Residential-Attached (SFA)
22E12BA12200 - Medium Density Single-Family Residential (R-5)
23E06B 00200 - High Density Residential-Attached (MUR-A)
22E03AB00702 - Institutional and Public Use (IPU)
22E03AB00703 - Institutional and Public Use (IPU)
22E03AB00704 - Institutional and Public Use (IPU)
22E03B 01100 - Institutional and Public Use (IPU)
22E03B 01200 - Institutional and Public Use (IPU)
22E03 01100 - Institutional and Public Use (IPU)
22E03AB00300 - Institutional and Public Use (IPU)
22E03AB00400 - Institutional and Public Use (IPU)
22E03C 00200 - Institutional and Public Use (IPU)
22E03C 00300 - Institutional and Public Use (IPU)
22E03AC03800 - Institutional and Public Use (IPU)
22E03B 01300 - Institutional and Public Use (IPU)
22E03B 00400 - Institutional and Public Use (IPU)
22E03B 00500 - Institutional and Public Use (IPU)
22E03DB00610 - Institutional and Public Use (IPU)

Section 3. The City Council adopts the subject annexation application (ANN-01-12/LDC-01-12/CPA-01-12) and the associated Staff Report to the City Council dated March 20, 2012.

Section 4. The territory described in Exhibit A, and depicted in Exhibit B is hereby annexed to the North Clackamas Parks and Recreation District and is withdrawn from the Clackamas County Enhanced Law Enforcement District effective March 20, 2012.

Section 5. As a condition for the annexation of each property in the territory described in Exhibit A and depicted in Exhibit B, the property owners, on behalf of themselves, their heirs, successors and assigns, waive their right(s) of remonstrance against the creation of any Local Improvement District created consistent with ORS Chapter 223 and/or Happy Valley Municipal Code Chapter 3.12 for a period of 10 years from the effective date of the annexation.

Section 6. The City Recorder is directed to:

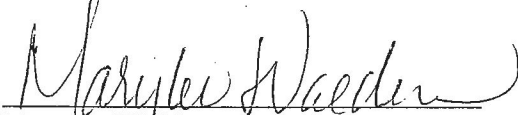
1. File a copy of this ordinance and the statements of consent to annexation consistent with ORS 222.180 with the Secretary of State and Department of Revenue;
2. Mail a copy of this ordinance to Metro including the required fee consistent with Metro Code Chapter 3.09.030(e); and
3. Mail a copy of this ordinance to Clackamas County and any other necessary parties consistent with Metro Code Chapter 3.09.030(e).

Section 7. This ordinance takes effect 30 days after adoption.

COUNCIL APPROVAL AND UNANIMOUS ADOPTION AT ONE MEETING: [March 20, 2012]


Lori DeRemer
Mayor

Adoption and date attested by:


Marylee Walden
City Recorder

CITY OF HAPPY VALLEY
16000 SE MISTY DRIVE
HAPPY VALLEY, OREGON 97086
PH. 503.783.3800
FAX 503.658.5174

NOTICE

NOTICE IS HEREBY GIVEN that the Happy Valley City Council will hold a public hearing and will consider annexation of territories pursuant to the Expedited Decision process of Metro Code Chapter 3.09.045 and a Comprehensive Plan Map/Zoning Map amendment (rezoning the subject properties from the existing Clackamas County zoning designations to applicable City of Happy Valley zoning designations) to the affected properties pursuant to Section 16.67.070 of the City's Municipal Code in the City Hall Council Chambers, 16000 SE Misty Drive, Happy Valley, Oregon on **Tuesday, March 20, 2012, at 7:00 p.m.**

DOCKET NUMBER

ANN-01-12/LDC-01-12/CPA-01-12

The affected property totals approximately 246.67 acres of real property and includes the following properties as listed by Clackamas County Assessor Map Number:

13E30D 02303, 22E12BA12200, 23E06B 00200, 22E03AB00702, 22E03AB00703,
22E03AB00704, 22E03B 01100, 22E03B 01200, 22E03 01100, 22E03AB00300,
22E03AB00400, 22E03C 00200, 22E03C 00300, 22E03AC03800, 22E03B 01300,
22E03B 00400, 22E03B 00500, and 22E03DB00610.

The City Council intends to decide on the application for annexation and rezoning of the above properties at the public hearing. The Council may approve or deny an application for annexation and the associated legislative comprehensive plan map/zone map amendments in accordance with the applicable criteria of the City of Happy Valley Comprehensive Plan, and Section 16.67.070 of the City of Happy Valley Municipal Code, METRO code 3.09, and ORS 222.111, 222.125, and 222.170.

The decision will be made in accordance with the said criteria, and may be appealed to the Oregon Land Use Board of Appeals.

The decision-making criteria, application, and records concerning this matter are available at the City of Happy Valley City Hall at the above address during working hours (8:00 a.m. to 5:00 p.m. weekdays), please call for an appointment. For additional information, contact Justin Popilek, Associate Planner at the above address and phone number.

The meeting site is accessible to handicapped individuals. Assistance with communications (visual, hearing) must be requested 24 hours in advance by contacting Marylee Walden, City Recorder at the above phone number.

Justin Popilek,
Associate Planner

Mayor
Honorable Lori DeRemer



City Manager
Jason A. Tuck

CITY OF HAPPY VALLEY
STAFF REPORT TO THE CITY COUNCIL

March 20, 2012

ANNEXATION APPLICATION (File Number: ANN-01-12/LDC-01-12/CPA-01-12)

MT. TALBERT PROPERTIES

I. GENERAL INFORMATION

PROPOSAL:

The City seeks approval of the annexation of 18 properties, with a cumulative area of approximately 246.67 acres, and the legislative amending of the City's Comprehensive Plan Map/Zoning Map to convert the existing Clackamas County plan designations/land use zoning districts for the subject properties to Happy Valley plan designations/land use zoning districts, as set forth in Section 16.67.070 of the City's Land Development Code (LDC). All of the subject properties currently have residential Clackamas County Comprehensive Plan designations and zoning districts. However, to better reflect the existing uses of the Mt. Talbert properties, staff recommends that 15 of the 18 subject properties be assigned a City Comprehensive Plan designation/land use district of Institutional and Public Use (IPU). The remaining three subject properties would be converted to an appropriate residential or mixed use City designation/district as identified in the conversion matrix and the East Happy Valley Comprehensive Plan. Staff has determined that the proposed annexation complies with the applicable requirements of the Statewide Planning Goals, Oregon Revised Statutes (ORS), Metro Code, and the City's Comprehensive Plan and LDC. **Therefore, staff recommends the City Council APPROVE the proposed annexation subject to the findings and conclusions in this report.**

APPLICANT:

City of Happy Valley
16000 SE Misty Drive
Happy Valley, OR 97086

16000 SE Misty Drive
Happy Valley, Oregon 97086
Telephone: (503) 783-3800 Fax: (503) 658-5174
Website: www.ci.happy-valley.or.us

PROPERTY OWNER:

See Attached List – Exhibit C

EXHIBITS:

Exhibit A - Annexation Legal Descriptions/Maps

Exhibit B - Annexation Area Map

Exhibit C - Property Data/Owner List

Exhibit D - Annexation Petitions

Exhibit E - Letter in support of IPU from Sunnyside United Neighbors Community Planning Organization (dated November 18, 2011)

Exhibit F - Ordinance No. 423

APPLICABLE CRITERIA:

Applicable Statewide Planning Goals; ORS 222.111 and 222.125; Metro Code 3.09.045; and applicable policies and sections of the City of Happy Valley Comprehensive Plan and Municipal Code, Title 16 (Land Development Code) - including Section 16.67.070 (Annexations).

BACKGROUND:

The City of Happy Valley makes available petitions for annexation to area property owners and received signed petitions requesting annexation from the owners of the subject properties.

GENERAL DISCUSSION:

The proposed annexation was initiated by petitions signed by the owners of 100 percent of the property owners that represent 100 percent of the assessed value, and that represent at least 50 percent of the electors within the area being annexed. The petition meets the requirements of Metro Ordinance Number 98-791, Chapter 3.09.045, and ORS 222.125.

The properties to be annexed are in four locations, adjacent to the existing city limits, as noted on Exhibit B (labeled as Areas 1, 2, 3, and 4). The legal descriptions for the areas proposed for annexation are attached as Exhibit A and the annexation application data forms for the areas to be annexed are attached as Exhibit C.

The proposed annexation incorporates 18 properties consisting of 246.67 acres located adjacent to the existing boundary of the City of Happy Valley. The desire of the property owners to obtain city services and land use regulations for the subject properties have prompted the proposed annexation request.

This staff report outlines the subject properties as to their specific configuration, existing land use, population, assessed value and other criteria for approval of boundary changes. See attached Exhibits B and C.

The proposed annexation boundaries have been drawn up to include only the properties represented by the property owners or their representatives who signed the annexation petitions.

The 15 properties labeled within Exhibit B as Area 1 represent the Mt. Talbert Nature Park, an approximately 239-acre natural area that includes accessories such as walking trails, a picnic shelter, restrooms, and two parking lots. The Mt. Talbert Nature Park is jointly owned by North Clackamas Parks and Recreation District (NCPRD) and Metro, with the ongoing management, maintenance, and operational duties being the responsibility of NCPRD. The enforcement of park rules at Mt. Talbert is currently the duty of the Clackamas County Sheriff's Office, which has proven to be responsive to many issues at the park. However, the enforcement of park rules, such as the park's "no dog" policy, has proven to be ineffective. As a result, NCPRD and Metro have proposed to annex the Mt. Talbert Nature Park into Happy Valley to utilize the services of the City's Code Enforcement Department. With the approval of this proposed annexation, the City's Code Enforcement Department will provide routine patrols through the park for the purpose of providing public education and outreach with the overall goal of encouraging compliance with park rules.

The properties making up the Mt. Talbert Nature Park currently have Clackamas County Comprehensive Plan designations of Low Density Residential (LDR) and Medium-High Density Residential (MHDR), with residential zoning districts ranging from Medium-High Density Residential (MR-2) to Low Density Residential (R-20). To better match the existing use of the Mt. Talbert properties, staff has proposed to legislatively amend the City's Comprehensive Plan Map/Zoning Map, as part of Ordinance No. 423 (Exhibit F), to apply a City designation/zone of Institutional and Public Use (IPU) to the Mt. Talbert Nature Park. Staff's proposal was reviewed and agreed upon by NCRPD, Metro, and the Sunnyside United Neighbors Community Planning Organization (Exhibit E).

The one property that is located within Area 2, as identified within Exhibit B, is an approximately 7,000 square-foot lot located within "Addington Place - Phase 3", a subdivision that was approved and constructed under the jurisdiction of Clackamas County. It was the desire of the property owner to annex into the City and the approval of this annexation would make this lot the first property within "Addington Place" to annex into Happy Valley. With the adoption of Ordinance No. 423, this property will receive a City Comprehensive Plan designation/zoning district of Medium Density Single-Family Residential (R-5).

Area 3, as shown within Exhibit B, consists of a single property owned by Clackamas County Department of Transportation and Development. This property contains a small portion of Rock Creek and its associated riparian corridor and is heavily encumbered by steep slopes and natural resource areas, as defined in Metro's Title 3 and Title 13 of the Urban Growth Management Functional Plan (UGMFP). Though this property has little development potential, the adoption of Ordinance No. 423 would apply a City Comprehensive Plan designation/zoning district of Mixed Use Residential - Attached (MUR-A) to this property, per the City's Comprehensive Plan.

Area 4, as shown within Exhibit B, consists of a 5.77-acre Lot of Record, located in the East Happy Valley Comprehensive Plan Area, which contains one single-family residence. This property is “rural” in nature and currently does not have urban services, such as public sanitary sewer, readily available to facilitate its development. It was the desire of the property owner to annex into the City to receive urban zoning and land use regulations. With the adoption of Ordinance No. 423, the property within area 4 will receive a plan designation/zoning district of High Density Residential - Attached (SFA). This plan designation/zoning district is consistent with the City’s East Happy Valley Comprehensive Plan and will allow for this property to potentially develop with residential densities ranging from 10 to 15 dwelling units per net acre.

This proposed annexation complies with the present agreements the City has with various urban service providers. All but two of the subject properties are currently located within Clackamas County Service District #1 (CCSD #1), which provides sanitary sewer and stormwater management services to the City and other urbanized areas of Clackamas County. The two properties not currently within the District (shown as Areas 3 and 4 within Exhibit B) will be required to annex into CCSD #1 and connect to public sanitary sewer at the time of their development. All the subject properties are provided water service by Sunrise Water Authority (SWA), one of the City’s service providers of potable water. SWA will continue to provide water services to the subject properties subsequent to the approval of this annexation. Also subsequent to the approval of this annexation, the owners of the subject properties will be required to annex into Clackamas County Service District #5 (CCSD #5) for street lighting and the NCPRD (if necessary). The subject properties will need to be removed from the Clackamas County Enhanced Law Enforcement District and will be provided law enforcement services by the Happy Valley Police Department. Also, the subject properties are within Clackamas Fire District #1 (CFD #1). CFD #1 provides the subject properties with fire protection and will continue to provide this service following the approval of this annexation.

Happy Valley Comprehensive Plan Policies 4 through 7 address urbanization of lands from rural to urban uses. The annexation area satisfies the applicable provisions of these policies by providing land for urban development that can be, or currently is, adequately served by Level 1 services and facilities.

The Metro Regional Framework Plan contains standards and criteria guiding the management and expansion of the Urban Growth Boundary (UGB), but most are not directly applicable to this annexation. The Framework Plan does address the issues of annexation of properties to cities as appropriate to ensure adequate government jurisdiction and public facilities review and approvals.

The UGMFP contains population and household growth figures for each jurisdiction in the region, including the City of Happy Valley. These figures should be accommodated over the next 20 years. The approval of this annexation request will contribute land toward future urban-level uses at the densities specified in the functional plan.

Any future development within the subject properties proposed for annexation will comply with all the applicable regional, County, and City plans.

II. FINDINGS OF FACT

STATEWIDE PLANNING GOALS (DLCD)

“Goal 1: Citizen Involvement (660-015-0000(1))

Goal 1 specifies that each city adopt a program for citizen involvement that clearly defines the procedures by which the general public will be involved in the ongoing land-use planning process. This program shall provide for continuity of citizen participation and of information that enables citizens to identify and comprehend the issues.

Response:

The City of Happy Valley provided notice to all interested parties, necessary parties, and land owners within 300 feet. The notice stated that the process would be expedited. This criterion has been satisfied.

Goal2: Land Use Planning (660-015-0000(2))

Goal 2 specifies the need to establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Response:

The City’s LDC establishes provisions for the expedited annexation process and county to city zoning conversion. This staff report and findings demonstrate compliance with applicable policies and regulations of all local, regional and state regulations. This criterion has been satisfied.

Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces (660-015-0000(5))

Goal 5 requires local governments to adopt programs that will protect natural resources and conserve scenic, historic, and open space resources for present and future generations. These resources promote a healthy environment and natural landscape that contributes to Oregon's livability.

Response:

If approved, the subject annexation would add 239 acres of open space to the City Limits in the form of a regional park, Mt. Talbert Nature Park. The approval of this annexation would work to provide additional lands for open space and public recreational facilities that would be preserved as such by Metro and NCPRD. An action that works to satisfy not only Goal 5, but several polices found within the City’s Comprehensive Plan. Therefore, this criterion has been satisfied.

Goal 10: Housing (660-015-0000(10))

Goal 10 specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing. It requires each city to inventory its buildable lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.

Response:

All of the subject properties are located within areas that have already been comprehensively planned for by either Clackamas County or the City of Happy Valley. The proposed annexation has the potential to provide additional lots for residential construction within the City that would be located within areas that have been designated for both single-family and multi-family residential uses. The annexation is compliant with the City's Comprehensive Plan goals and policies pertaining to Goal 10 and the UGMFP (see Compliance with Regional Goals) and therefore, this criterion has been satisfied.

Goal 11: Public Facilities and Services ((660-015-0000(11))

Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that the public services should be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs.

Response:

Metro Code (3.09.045.d) requires that boundary change proposals meet minimum criteria that include addressing the capacity for urban services. Boundary changes must be consistent with ORS 195.065 and regional and statewide land use goals, including Goal 11.

This proposed annexation complies with the present agreements and plans the City has with various urban service providers. All but two of the subject properties are currently located within CCSD #1, which provides sanitary sewer and stormwater management services to the City and other urbanized areas of Clackamas County. The two properties not currently within the District (shown as Areas 3 and 4 within Exhibit B) will be required to annex into CCSD #1 and connect to public sanitary sewer at the time of their development. All the subject properties are provided water service by SWA, one of the City's service providers of potable water. SWA will continue to provide water services to the subject properties subsequent to the approval of this annexation. The future water supply needs of the subject properties will be evaluated and planned for by SWA. Also subsequent to the approval of this annexation, the owners of the subject properties will be required to annex into CCSD #5 for street lighting and the NCPRD (if necessary).

The subject properties will need to be removed from the Clackamas County Enhanced Law Enforcement District and will be provided law enforcement services by the Happy Valley Police Department. Also, the subject properties are within CFD #1. CFD #1 provides the subject properties with fire protection and will continue to provide this service following the approval of this annexation.

This annexation proposal is consistent with Goal 11. Public services to the annexation areas have already been planned for and anticipated to occur because it is within the existing UGB. Extension of the public services that are not currently available to the subject properties will most likely occur with future development. This criterion has been satisfied.

Goal 12: Transportation ((660-015-0000(12))

Goal 12 calls for the provision of “a safe, convenient and economic transportation system.” It asks for communities to address the needs of the “transportation disadvantaged.

Response:

The Happy Valley Transportation System Plan (TSP) has been updated to include the area proposed for annexation. The TSP was adopted in December 1998; and amended in 2001, 2006, 2009 and 2010. The TSP includes an inventory of the existing transportation system, addresses current problem areas, and evaluates future needs for both motorized and non-motorized transportation options. The TSP is consistent with the Transportation Planning Rule (TPR), the Metro Regional Transportation Plan (RTP), the Clackamas County Comprehensive Plan and Pedestrian and Bicycle Master Plan, and the Oregon Department of Transportation Oregon Transportation Plan (OTP). This criterion has been satisfied.

Goal 14: Urbanization ((660-015-0000(14))

Goal 14 requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an “urban growth boundary” (UGB) to “identify and separate urbanizable land from rural land.” It specifies seven factors that must be considered in drawing up a UGB. It also lists four criteria to be applied when undeveloped land within a UGB is to be converted to urban uses.”

Response:

The Happy Valley Comprehensive Plan (1984) and East Happy Valley Comprehensive Plan (2009) established a UGB based on the seven criteria outlined in Goal 14. UGB expansions are also regulated regionally through the Metro Regional Framework Plan and UGMFP. The Regional Framework Plan stipulates that cities plan for growth and utilize available land in a manner that is consistent with the regional goals contained in the plan. The City has identified an expansion area from the current city limits. The subject properties proposed for annexation are within this identified area and are subject to the City's Comprehensive Plan and East Happy Valley Comprehensive Plan. Through the legislative process, the City is proposing to apply city zoning designations to the subject properties that are in conformance with these plans, which were established in compliance with Goal 14. Therefore, this criterion has been satisfied.

Oregon Revised Statutes (ORS)

“ORS 222.111 – [...] (2) A proposal for annexation of territory to a city may be initiated by the legislative body of the city, on its own motion, or by a petition to the legislative body of the city by owners of real property in the territory to be annexed.

Response:

This annexation was the result of petitions filed by the property owners or their representatives who own properties that are contiguous to the city limits of Happy Valley. The criterion has been satisfied.

ORS 222.125 - Annexation by consent of all owners of land and majority of electors; proclamation of annexation. The legislative body of a city need not call or hold an election in the city or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.”

Response:

The application was initiated by petitions from owners of 100 percent of the land in the territory to be annexed and 50 percent of the electors in the territory to be annexed. The criterion has been satisfied.

REGIONAL LAND USE REQUIREMENT

“Metro Code 3.09.045 – Expedited Decisions

(a) The governing body of a city or Metro may use the process set forth in this section for minor boundary changes for which the petition is accompanied by the written consents of one hundred percent of property owners and at least fifty percent of the electors, if any, within the affected territory. No public hearing is required.

Response:

The City of Happy Valley established an expedited decision process through the adoption of Resolution Number 05-13. The City has received written consent in the form of petitions from 100 percent of the property owners and 50 percent the electors within the affected territory. The criterion has been satisfied.

(b) The expedited process must provide for a minimum of 20 days' notice prior to the date set for decision to all necessary parties and other persons entitled to notice by the laws of the city or Metro. The notice shall state that the petition is subject to the expedited process unless a necessary party gives written notice of its objection to the boundary change.

Response:

The City of Happy Valley provided notice to all interested parties, necessary parties and land owners within 300 feet of the subject properties. The notice stated that the process would be expedited. This criterion has been satisfied.

(c) At least seven days prior to the date of decision the city or Metro shall make available to the public a report that includes the following information:
(1) The extent to which urban services are available to serve the affected territory, including any extra-territorial extensions of service;
(2) Whether the proposed boundary change will result in the withdrawal of the affected territory from the legal boundary of any necessary party; and
(3) The proposed effective date of the boundary change.

Response:

A brief report, addressing the applicable criteria in Section 3.09.045 was available to the public on Tuesday, March 13, 2012, this criterion has been satisfied.

(d) To approve a boundary change through an expedited process, the city shall:
(1) Find that the change is consistent with expressly applicable provisions in:
(A) Any applicable urban service agreement adopted pursuant to ORS 195.065;

Response:

The proposed annexation is consistent with ORS 195.065. As stated above, the subject properties would generally remain within service districts already serving the area. All but two of the subject properties are currently located within CCSD #1, which provides sanitary sewer and stormwater management services to the City and other urbanized areas of Clackamas County. The two properties not currently within the District (shown as Areas 3 and 4 within Exhibit B) will be required to annex into CCSD #1 and connect to public sanitary sewer at the time of their development. All the subject properties are provided water service by SWA, one of the City's service providers of potable water. SWA will continue to provide water services to the subject properties subsequent to the approval of this annexation. Also subsequent to the approval of this annexation, the owners of the subject properties will be required to annex into CCSD #5 for street lighting and the NCPRD (if necessary). The subject properties will need to be removed from the Clackamas County Enhanced Law Enforcement District and will be provided law enforcement services by the Happy Valley Police Department. Also, the subject properties are within CFD #1. CFD #1 provides the subject properties with fire protection and will continue to provide this service following the approval of this annexation. This criterion has been satisfied.

(B) Any applicable annexation plan adopted pursuant to ORS 195.205;

Response:

An applicable annexation plan adopted pursuant to ORS 195.205 does not exist. Therefore, this criterion does not apply.

(C) Any applicable cooperative planning agreement adopted pursuant to ORS 195.020(2) between the affected entity and a necessary party;

Response:

An applicable cooperative planning agreement adopted pursuant to ORS 195.020(2) does not exist. Therefore, this criterion does not apply.

(D) Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services; and

Response:

The proposed annexation would not interfere with the provision, quality, or quantity of public facilities and services. The subject properties are located in areas where most urban services have already been installed. It should be noted that all urban services will be required to be in place if any development activity is to occur on the subject properties that are not currently fully served. The criterion has been satisfied.

(E) Any applicable comprehensive plan; and

The Happy Valley Comprehensive Plan, Rock Creek Comprehensive Plan, and the City's LDC do not contain applicable standards or criteria for boundary changes. However, the proposed annexation does meet applicable Metro and statewide planning requirements as addressed in this report. The criterion has been satisfied.

(2) Consider whether the boundary change would:

(A) Promote the timely, orderly and economic provision of public facilities and services;

(B) Affect the quality and quantity of urban services; and

(C) Eliminate or avoid unnecessary duplication of facilities or services.

Response:

The proposed annexation would not interfere with the provision, quality, or quantity of public facilities and services. The subject properties are located in an area where most urban services have already been installed. It should be noted that all urban services will be required to be in place if any development activity is to occur on the subject properties that are not currently fully served. The criterion has been satisfied.

(e) A city may not annex territory that lies outside the UGB, except it may annex a lot or parcel that lies partially within and outside the UGB. Neither a city nor a district may extend water or sewer services from inside a UGB to territory that lies outside the UGB."

Response:

The subject properties having petitioned for annexation are within the existing Metro UGB. The criterion has been satisfied.

CITY OF HAPPY VALLEY COMPREHENSIVE PLAN

Comprehensive Plan Policies

"Policy 4: To insure orderly development in the City of Happy Valley through formulation of growth management policies and guidelines which will determine that development can occur only when adequate levels of services and facilities are or will be available.

Response:

The subject properties are located where most urban services are currently available. However, all Level 1 services will be required to be in place if any development activity is to occur on these properties. This criterion has been satisfied.

Policy 5: To encourage controlled development while maintaining and enhancing the physical resources which make Happy Valley a desirable place to live.

Response:

The properties proposed for annexation are subject to the City's Comprehensive Plan and East Happy Valley Comprehensive Plan. These plans were created with preservation and enhancement of physical resources as a goal. This criterion has been satisfied.

Policy 6: To assure that the development of properties is commensurate with the character and physical limitations of the land in the Happy Valley area as determined by the available base information and the Composite Development Suitability analysis.

Response:

Compliance with this policy will be evaluated when/if individual proposals for development/construction are submitted to the City on the subject properties. This criterion has been satisfied.

Policy 7: To coordinate with the Metropolitan Service District (Metro) on any proposed changes or adjustments of the Urban Growth Boundary in the immediate vicinity of the City."

Response:

There are no proposed changes or adjustments to the UGB associated with this annexation application. This criterion is not applicable.

CITY OF HAPPY VALLEY MUNICIPAL CODE

Happy Valley Land Development Code

"16.67 Comprehensive Plan Map, Specific Area Plans, Land Use District Map and Text Amendments

[...]

16.67.070 Annexations.

A. Except as provided in subsection B of this section, when a property or area is annexed to the City from unincorporated Clackamas County with an accompanying Clackamas County Comprehensive Plan designation and zone, the action by the City Council to annex the property or area shall include an ordinance to amend the City's Comprehensive Plan map/zoning map to reflect the conversion from the County designation/zone to a corresponding City designation/zone, as shown in Table 16.67.070-1 below.

[...]

B. When an unincorporated property within the East Happy Valley Comprehensive Plan area, Aldridge Road Comprehensive Plan area, or the Rock Creek Mixed Employment Comprehensive Plan area is annexed to the City, the property shall be rezoned to the applicable zoning designation in the Comprehensive Plan pursuant to the applicable requirements of the Land Development Code.

C. For any proposed annexation to the City, application shall be made directly to the City of Happy Valley on the appropriate forms and accompanied with the required fee. Upon receipt of a copy of the form, the City shall schedule a public hearing before the Planning Commission, which shall make a recommendation to the City Council. The City may utilize any lawful annexation process under state, regional or local law, including the expedited annexation process established in the Metro Code. An expedited annexation process shall be sent directly to the City Council for review. Expedited annexations shall be processed as an ordinance pursuant to the City of Happy Valley Charter.

D. For any proposed deannexation from the City, application shall be made directly to the City of Happy Valley on the appropriate forms and accompanied with the required fee. Upon receipt of a copy of the form the City shall schedule a public hearing before the Planning Commission, which shall make a recommendation to the City Council.”

Response:

Pursuant to subsection “B” above, the properties associated with this annexation proposal will receive city zoning designations per the applicable city comprehensive plan. As a result, if the proposed annexation is approved, an ordinance (Exhibit F) to amend the City’s Comprehensive Plan map/zoning map will be passed that reflects the zoning conversion of the subject properties from their current Clackamas County designations/zones to City of Happy Valley designations/zones. These criteria have been satisfied.

III. CONCLUSION:

Staff has determined that the above findings demonstrate that the proposed annexation and zoning conversion of the subject properties satisfy the requirements of the Statewide Planning Goals, ORS, Metro Code 3.09, and City of Happy Valley Comprehensive Plan and LDC. **Staff, therefore, recommends that the City Council approve application ANN-01-12/LDC-01-12/CPA-01-12.**

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EXHIBIT A

Legal Description
Annexation Parcel

A tract of land located in the Southwest One-Quarter of Section 34, Township 1 South, Range 2 East, and in Section 3, Township 2 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon and being more particularly described as follows:

Beginning at the West One-Quarter corner of Section 3, thence along the west line of said Section 3 North $00^{\circ}01'34''$ East 1329.43 feet to the northwest corner of Document Number 2000-060598; thence along the north line of said Deed South $89^{\circ}45'17''$ East 972.09 feet to the southeast corner of Tract 'A' of the Plat of "Parkside"; thence along the east line of said Plat North $00^{\circ}08'27''$ East 1146.67 feet to the southwest corner of Document Number 90-031277; thence along the southerly line of said Deed North $68^{\circ}35'54''$ East 190.46 feet to a point; thence continuing along said southerly line North $74^{\circ}15'51''$ East 100.13 feet to a point; thence North $64^{\circ}26'51''$ East 54.46 feet to a point; thence North $73^{\circ}25'30''$ East 67.98 feet to a point; thence North $59^{\circ}27'04''$ East 58.64 feet to a point; thence North $50^{\circ}22'38''$ East 96.86 feet to a point; thence North $32^{\circ}42'17''$ East 191.80 feet to a point; thence North $27^{\circ}20'00''$ East 46.06 feet to the northeasterly corner of Document Number 89-18919, being a point on the northwesterly right-of-way line of Sunnybrook Road (variable width right-of-way); thence along the easterly line of said Deed and said northwesterly right-of-way line South $02^{\circ}26'53''$ West 159.98 feet to a point; thence South $56^{\circ}38'48''$ East 96.87 feet to the northwesterly corner of Parcel 2 of Partition Plat Number 2010-023 being on the southeasterly right-of-way line of Sunnybrook Road (50.52 feet from centerline); thence leaving said southerly right-of-way line and along the north line of said Parcel 2 South $89^{\circ}39'19''$ East 295.23 feet to a point on the southwesterly line of the Plat of "Streamside Village Condominiums"; thence along said southwesterly line South $70^{\circ}50'11''$ East 74.47 feet to the most southerly corner of said Plat; thence along the southeasterly line of said Plat North $54^{\circ}59'37''$ East 212.84 feet to a point on the westerly line of Parcel 1 of said Partition Plat; thence along the westerly and southerly lines of said Parcel 1 along a non-tangential curve to the right with a Radius of 26.44 feet, Delta of $120^{\circ}19'26''$, Length of 55.52 feet, and a Chord of South $15^{\circ}58'43''$ East 45.87 feet to a point; thence continuing along said westerly and southerly lines South $59^{\circ}33'03''$ West 60.12 feet to a point; thence South $05^{\circ}20'09''$ East 165.15 feet to a point; thence South $45^{\circ}26'31''$ East 60.37 feet to a point; thence South $73^{\circ}02'08''$ East 92.27 feet to a point; thence South $77^{\circ}33'18''$ East 21.13 feet to a point; thence South $57^{\circ}25'50''$ East 25.13 feet to a point; thence North $86^{\circ}51'28''$ East 145.85 feet to a point on the westerly line of Partition Plat Number 1997-035; thence along said westerly line South $06^{\circ}27'10''$ West 1155.79 feet to the southwest corner of Parcel 2 of said Partition Plat; thence along the south line of said Parcel 2 South $89^{\circ}50'26''$ East 297.95 feet to the southeast corner of said Parcel 2; thence along the east line of said Parcel 2 North $05^{\circ}28'01''$ East 872.10 feet to the northeast corner of said Parcel 2, being a point in the centerline of Mount Scott Creek; thence along the centerline of said Creek, being the northerly line of Parcels 1 and 2 of Document Number 2006-119595 South

62°59'33" East 446 feet, more or less, to a point on the westerly line of Document Number 2005-030496; thence along said westerly line South 16°55'54" West 132.51 feet to the southwesterly corner of said Deed; thence along the southerly line of said Deed South 70°34'25" East 313.56 feet to the southeasterly corner of said Deed; thence along the easterly line of said Deed North 17°05'35" East 749.40 feet to a point on the southerly right-of-way line of Sunnyside Road (variable width right-of-way) and the City of Happy Valley City Limits; thence along said southerly right-of-way line and the City of Happy Valley City Limits along a non-tangential curve to the right with a Radius of 3214.80 feet, Delta of 02°47'47", Length of 156.90 feet, and a Chord of South 60°58'17" East 156.88 feet to the northwesterly corner of Parcel 2 of Partition Plat Number 1998-018; thence along the westerly line of said Parcel 2 South 17°08'18" West 888.14 feet to the southwesterly corner of Tract 'A' of the Plat of "Braemark Estates"; thence along the southerly line of said Tract 'A' South 89°50'39" East 41.13 feet to a point; thence continuing along said southerly line North 72°59'12" East 34.25 feet to a point; thence South 25°53'57" East 52.80 feet to a point; thence South 36°15'54" East 35.37 feet to a point; thence South 23°58'53" East 37.95 feet to a point; thence South 89°50'37" East 1.72 feet to a point; thence along a curve to the left with a Radius of 85.00 feet, Delta of 21°54'54", Length of 32.51 feet, and a Chord of North 79°11'56" East 32.31 feet to a point; thence North 68°14'28" East 87.91 feet to a point; thence North 21°45'30" West 5.00 feet to a point on the southerly line of Lot 1 of said Plat; thence along said southerly line North 68°14'30" East 27.48 feet to a point; thence South 21°45'31" East 40.00 feet to a point on the northwesterly line of Lot 14 of said Plat; thence along said northwesterly line South 68°14'30" West 23.56 feet to the northwest corner of said Lot 14; thence along the westerly line of said Lot 14 South 06°35'22" East 64.37 feet to a point; thence continuing along said westerly line South 33°18'25" East 45.01 feet to a point; thence South 08°35'28" East 32.85 feet to the southwesterly corner of said Lot 14; thence along the south line of said Lot 14 and the south line of Lots 13 and 12 of said Plat South 89°50'26" East 137.19 feet to northeasterly corner of Tract 'A' of the Plat of "Cedar Park No. 1"; thence along the east line of said Tract 'A' South 00°02'09" West 1290.52 feet to a point on the northerly right-of-way line of SE Mather Road (30.00 feet from centerline); thence along said northerly right-of-way line North 89°07'25" West 188.14 feet to a point; thence along a curve to the right with a Radius of 19.00 feet, Delta of 80°08'53", Length of 26.58, and a Chord of North 49°02'53" West 24.46 feet to a point on the easterly right-of-way line of SE Cedar Park Drive (22.00 feet from centerline); thence along said easterly right-of-way line North 08°58'32" West 93.81 feet to a point; thence continuing along said easterly right-of-way line along a curve to the left with a Radius of 422.00 feet, Delta of 18°11'55", Length of 134.04 feet, and a Chord of North 18°04'23" West 133.48 feet to a point; thence along a curve to the right with a Radius of 153.00 feet, Delta of 28°24'18", Length of 75.85 feet, and a Chord of North 12°58'11" West 75.08 feet to a point; thence North 01°14'05" East 72.65 feet to the southwest corner of Lot 34 of said Plat; thence along the south line of said Lot 34 South 88°45'55" East 100.00 feet to the southeast corner of said Lot 34; thence along the east line of said Lot 34 and the east line of Lots 35, 36, and 37 of said Plat North 01°14'05" East 320.00 feet to the northeast corner of said Lot 37; thence along the north line of said Lot 37 North 88°45'55" West 100.00 feet to a point on the easterly right-of-way line of SE Cedar Park Drive (22.00 feet from centerline); thence along said easterly right-of-way line North 01°14'05" East 17.94 feet to a point; thence continuing along said easterly right-of-way line along a curve to the left with a Radius of 422.00 feet, Delta of 03°16'50", Length of 24.16 feet, and a Chord of North 00°00'11" East 24.16 feet to a point; thence South 88°21'45" West 44.00 feet to a point on the westerly right-of-way line of SE Cedar Park Drive (22.00 feet from centerline); thence along said westerly right-of-way line along a non-tangential curve to the right with a Radius of 378.00 feet, Delta of 02°52'22", Length of 18.95

feet, and a Chord of South $00^{\circ}12'03''$ East 18.95 feet to the northeast corner of Lot 33 of said Plat; thence along the north line of said Lot 33 South $89^{\circ}35'09''$ West 84.59 feet to the northeast corner of Lot 32 of said Plat; thence along the north line of said Lot 32 and the north line of Lot 31 of said Plat North $89^{\circ}55'09''$ West 150.00 feet to the northeast corner of Lot 30 of said Plat; thence along the north line of said Lot 30 and the north line of Lot 29 of said Plat North $79^{\circ}04'09''$ West 157.31 feet to the northeast corner of Lot 28 of said Plat; thence along the north line of said Lot 28 South $81^{\circ}58'54''$ West 142.59 feet to the northwesterly corner of said Lot 28; thence along the westerly line of said Lot 28 and the westerly line of Lot 27 of said Plat South $16^{\circ}58'22''$ West 185.00 feet to the most westerly corner of said Lot 27; thence along the southwesterly line of said Lot 27 and the westerly line of Lots 26 and 14 of said Plat South $28^{\circ}55'35''$ East 217.58 feet to a point on the northwesterly right-of-way line of SE Hidalgo Court (20.00 feet from centerline); thence along said northwesterly right-of-way along a non-tangential curve to the left with a Radius of 56.00 feet, Delta of $56^{\circ}11''$, Length of 54.83 feet, and a Chord of South $33^{\circ}01'08''$ West 52.67 feet to the most northerly corner of Lot 13 of said Plat; thence along the northwesterly line of said Lot 13 South $44^{\circ}26'47''$ West 66.63 feet to the westerly corner of said Lot 13; thence along the southwesterly line of said Lot 13 South $17^{\circ}28'42''$ East 145.00 feet to the southwesterly corner of said Lot 13; thence along the southerly line of said Lot 13 and the southerly line of Lot 12 of said Plat North $88^{\circ}20'07''$ East 115.00 feet to the most westerly corner of Lot 8 of said Plat; thence along the southwesterly line of said Lot 8 South $29^{\circ}31'46''$ East 95.00 feet to the most westerly corner of Lot 7 of said Plat; thence along the southwesterly line of said Lot 7 South $57^{\circ}47'41''$ East 91.86 feet to a point on the northerly right-of-way line of SE Mather Road (30.00 feet from centerline); thence along said northerly right-of-way line along a non-tangential curve to the left with a Radius of 145.00 feet, Delta of $45^{\circ}43'10''$, Length of 115.70 feet, and a Chord of South $69^{\circ}32'42''$ West 112.66 feet to the northeasterly corner of Document Number 2003-034309; thence along the northerly line of said Deed and the northerly line of the Plat of "Willingham Heights" North $89^{\circ}52'30''$ West 690.02 feet to the northwesterly corner of said Plat; thence along the westerly line of said Plat South $05^{\circ}02'53''$ West 779.64 feet to the southwesterly corner of said Plat; thence along the southerly line of said Plat South $84^{\circ}31'15''$ East 236.51 feet to the southwesterly corner of Tract 'A' of said Plat; thence along the westerly line of said Tract 'A' North $27^{\circ}14'30''$ East 79.86 feet to a point; thence along a curve to the right with a Radius of 18.00 feet, Delta of $75^{\circ}34'14''$, Length of 23.74 feet, and a Chord of North $65^{\circ}01'38''$ East 22.06 feet to a point on the southerly right-of-way line of Willingham Court (20.00 feet from centerline); thence along said southerly right-of-way line along a curve to the left with a Radius of 170.00 feet, Delta of $03^{\circ}48'30''$, Length of 11.30 feet, and a Chord of South $79^{\circ}05'29''$ East 11.30 feet to a point; thence along a curve to the right with a Radius of 20.00 feet, Delta of $87^{\circ}12'50''$, Length of 30.44 feet, and a Chord of South $37^{\circ}23'19''$ East 27.59 feet to a point on the westerly right-of-way line of SE Mather Road (30.00 feet from centerline); thence along said westerly right-of-way line South $06^{\circ}08'39''$ West 134.91 feet to the northeasterly corner of Lot 1 of the Plat of "Mystery Springs"; thence along the most northerly line of said Plat and the northerly lines of the Plat of "Mystery Springs II" and the Plat of "Mystery Springs III" South $82^{\circ}34'23''$ West 837.71 feet to the northwesterly corner of the Plat of "Mystery Springs III"; thence along the westerly line of "Mystery Springs III" and the most westerly line of the Plat of "Mystery Springs" South $05^{\circ}05'24''$ West 751.51 feet to a point on the northerly right-of-way line of SE Mather Road (20.00 feet from centerline); thence along said northerly right-of-way line South $82^{\circ}22'06''$ West 600.08 feet to the southeasterly corner of Document Number 2009-015113; thence along the easterly line of said Deed North $00^{\circ}14'02''$ West 310.39 feet to the most northeasterly corner of said Deed; thence along the northerly line of said Deed North $89^{\circ}47'36''$ West 322.67 feet to a point; thence continuing along said northerly

line North 62°09'08" West 129.97 feet to a point; thence North 37°31'12" West 500.00 feet to a point; thence North 62°34'11" West 416.13 feet to a point on the easterly line of Document Number 97-032334; thence along the easterly line of said Deed North 05°47'21" East 113.43 feet to a point; thence continuing along said easterly line North 34°41'57" West 53.67 feet to a point; thence North 50°58'35" West 247.14 feet to a point on the west line of said Section 3; thence along said west line North 00°08'02" West 540.01 feet to the Point of Beginning.

The above described tract of land contains 243 acres, more or less.

3-8-12

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Nick White

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS
RENEWS: 6/30/12

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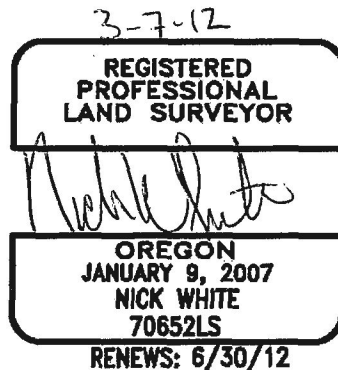
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EXHIBIT A
Legal Description
Annexation Parcel

A tract of land located in the Southeast One-Quarter of Section 30, Township 1 South, Range 3 East, Willamette Meridian, Clackamas County, Oregon and being more particularly described as follows:

Beginning at the south One-Quarter corner of Section 30, thence along the south line of said Section 30 North 89°41'44" East 650.79 feet to a point on the southerly extension of the east line of Document Number 2003-022165 and the True Point of Beginning; thence along said east line and the southerly extension thereof and the City of Happy Valley City Limits North 00°01'21" East 801.85 feet to a point on the south line of Document Number 93-65042; thence along said south line and the City of Happy Valley City Limits North 89°32'55" East 325.49 feet to the northwest corner of Document Number 77-13087; thence along the west line of said Deed and the southerly extension thereof South 00°01'21" West 832.69 feet to a point on the southerly right-of-way line of SE Hemrick Road (30.00 feet from centerline); thence along said southerly right-of-way line South 89°41'44" West 325.48 feet to a point on the southerly extension of the east line of Document Number 2003-022165; thence along said southerly extension North 00°01'21" East 30.00 feet to the True Point of Beginning.

The above described tract of land contains 6.22 acres, more or less.



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EXHIBIT A

Legal Description
Annexation Parcel

A tract of land located in the Northwest One-Quarter of Section 12, Township 2 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon and being more particularly described as follows:

Beginning at the southwest corner of Lot 128 of the Plat of "Addington Place No. 3", thence along the west line of said Lot 128 and the northerly extension thereof North $00^{\circ}00'01''$ West 123.35 feet to a point on the northerly right-of-way line of SE Paddington Road (21.50 feet from centerline); thence along said northerly right-of-way line and the easterly extension there of North $89^{\circ}22'33''$ East 128.44 feet to a point on the easterly right-of-way line of SE Berkshire Avenue (21.50 feet from centerline); thence along said easterly right-of-way line South $01^{\circ}53'00''$ East 179.26 feet to a point; thence continuing along said easterly right-of-way line along a curve to the left with a Radius of 278.50 feet, Delta of $16^{\circ}20'40''$, Length of 79.45 feet, and a Chord of South $10^{\circ}03'20''$ East 79.18 feet to a point; thence South $18^{\circ}13'40''$ East 33.44 feet to a point; thence along a curve to the right with a Radius of 321.50 feet, Delta of $02^{\circ}45'34''$, Length of 15.48 feet, and a Chord of South $16^{\circ}50'53''$ East 15.48 feet to a point; thence along a curve to the left with a Radius of 15.50 feet, Delta of $75^{\circ}08'59''$, Length of 20.33 feet, and a Chord of South $53^{\circ}02'35''$ East 18.90 feet to a point on the northerly right-of-way line of SE Bradford Road (21.50 feet from centerline); thence along said northerly right-of-way line and the easterly extension thereof North $89^{\circ}22'55''$ East 832.77 feet to a point on the easterly right-of-way line of SE 152nd Avenue (30.00 feet from centerline); thence along said easterly right-of-way line South $01^{\circ}51'50''$ East 450.33 feet to a point; thence continuing along said easterly right-of-way line along a curve to the right with a Radius of 1176.00 feet, Delta of $09^{\circ}24'08''$, Length of 192.98 feet, and a Chord of South $02^{\circ}50'14''$ West 192.77 feet to a point on the northerly line of Document Number 2005-017008 and the City of Happy Valley City Limits; thence along said northerly line and the City of Happy Valley City Limits South $89^{\circ}29'51''$ West 10.10 feet to a point on the easterly right-of-way line of SE 152nd Avenue (20.00 feet from centerline); thence along said easterly right-of-way line and the City of Happy Valley City Limits along a non-tangential curve to the right with a Radius of 1166.00 feet, Delta of $07^{\circ}43'06''$, Length of 157.07 feet, and a Chord of South $11^{\circ}28'01''$ West 156.95 feet to the most northerly corner of Document Number 2005-016334; thence North $74^{\circ}40'26''$ West 50.00 feet to a point on the westerly right-of-way line of SE 152nd Avenue (30.00 feet from centerline); thence along said westerly right-of-way line along a non-tangential curve to the left with a Radius of 1116.00 feet, Delta of $04^{\circ}07'41''$, Length of 80.41 feet, and a Chord of North $13^{\circ}15'44''$ East 80.39 feet to a point on the south line of Parcel 1 of Partition Plat Number 1993-175; thence along said south line North $89^{\circ}17'00''$ East 5.11 feet to a point on the westerly right-of-way line of SE 152nd Avenue (25.00 feet from centerline); thence along said westerly right-of-way line along a non-tangential curve to the left with a Radius of 1121.00 feet, Delta of $04^{\circ}22'25''$, Length of 85.57 feet, and a Chord of North $08^{\circ}57'26''$ East 85.55 feet to the northeast corner of said Parcel 1; thence along the north line of said Parcel 1 South $89^{\circ}17'00''$ West 5.04 feet to a point on the westerly right-of-way line of SE 152nd Avenue (30.00 feet from centerline); thence along said westerly right-of-way line along a non-tangential curve to the left with a Radius of 1116.00 feet, Delta of $08^{\circ}05'01''$, Length of 157.45 feet,

and a Chord of North 02°45'44" East 157.32 feet to the easterly northeast corner of Lot 38 of the Plat of "Sedona Park"; thence North 01°44'55" East 80.28 feet to a point on said westerly right-of-way line (25.00 feet from centerline), being the easterly southeast corner of Lot 1 of said Plat; thence continuing along said westerly right-of-way line North 01°51'50" West 76.16 feet to the northeast corner of said Lot 1; thence along the north line of said Lot 1 South 89°17'00" West 5.00 feet to a point on said westerly right-of-way line (30.00 feet from centerline); thence continuing along said westerly right-of-way line North 01°51'50" West 248.95 feet to a point; thence along a curve to the left with a Radius of 15.00 feet, Delta of 88°45'15", Length of 23.24 feet, and a Chord of North 46°14'27" West 20.98 feet to a point on the southerly right-of-way line of SE Bradford Road (21.50 feet from centerline); thence along said southerly right-of-way line and the westerly extension thereof South 89°22'55" West 807.67 feet to a point on the westerly right-of-way line of SE Berkshire Avenue (21.50 feet from centerline); thence along said westerly right-of-way line along a non-tangential curve to the left with a Radius of 278.50 feet, Delta of 11°51'59", Length of 57.68 feet, and a Chord of North 12°17'41" West 57.58 feet to a point; thence continuing along said westerly right-of-way line North 18°13'40" West 33.44 feet to a point; thence along a curve to the right with a Radius of 321.50 feet, Delta of 16°20'40", Length of 91.71 feet, and a Chord of North 10°03'20" West 91.40 feet to a point; thence North 01°53'00" West 56.37 feet to the southeast corner of Lot 128 of the Plat of "Addington Place No. 3"; thence along the south line of said Lot 128 South 89°40'25" West 89.50 feet to the Point of Beginning.

The above described tract of land contains 2.42 acres, more or less.

3-7-12

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Nick White

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS
RENEWS: 6/30/12

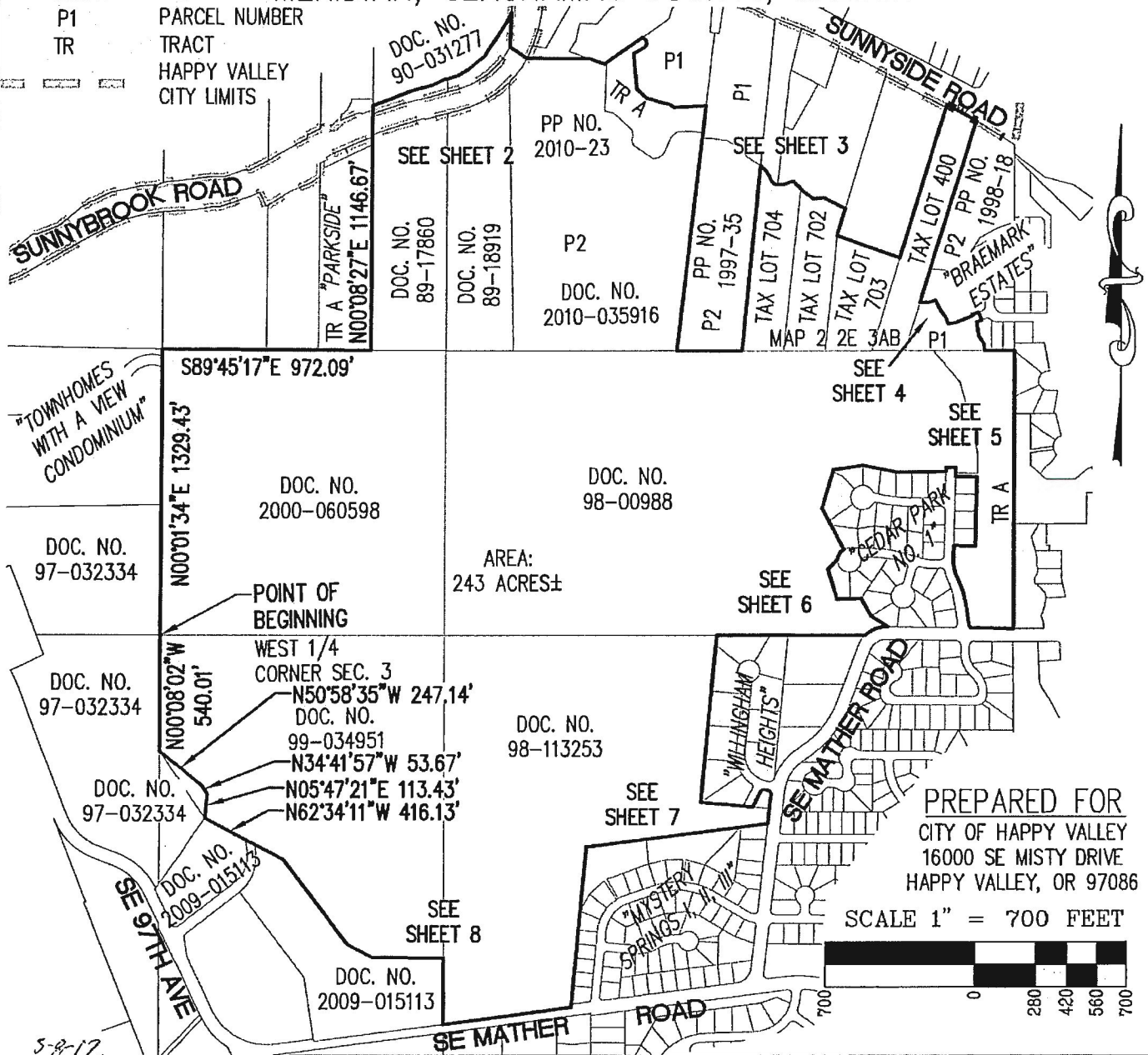
EXHIBIT B

SHEET 1 OF 8

A TRACT OF LAND LOCATED IN SW 1/4 OF SEC. 34 OF T1S, R2E, AND IN SEC. 3, T2S, R2E, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON

LEGEND

- P1 PARCEL NUMBER
- TR TRACT
- HAPPY VALLEY CITY LIMITS



5-8-12

REGISTERED PROFESSIONAL LAND SURVEYOR

Nick White

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS
RENEWS: 6/30/12

JOB NAME: COHV ANNEX

JOB NUMBER: 2582

DRAWN BY: MSK

CHECKED BY: NSW

DWG NO.: 2582ANNEX

ENGINEERING • PLANNING • LANDSCAPE ARCHITECTURE
FORESTRY • SURVEYING

AKS
ENGINEERING & FORESTRY

LICENSED IN OR & WA

13910 SW GALBREATH DRIVE, SUITE 100
SHERWOOD, OR 97140
PHONE: (503) 925-8799
FAX: (503) 925-8969

OFFICES LOCATED IN REDMOND, OR & VANCOUVER, WA

EXHIBIT B

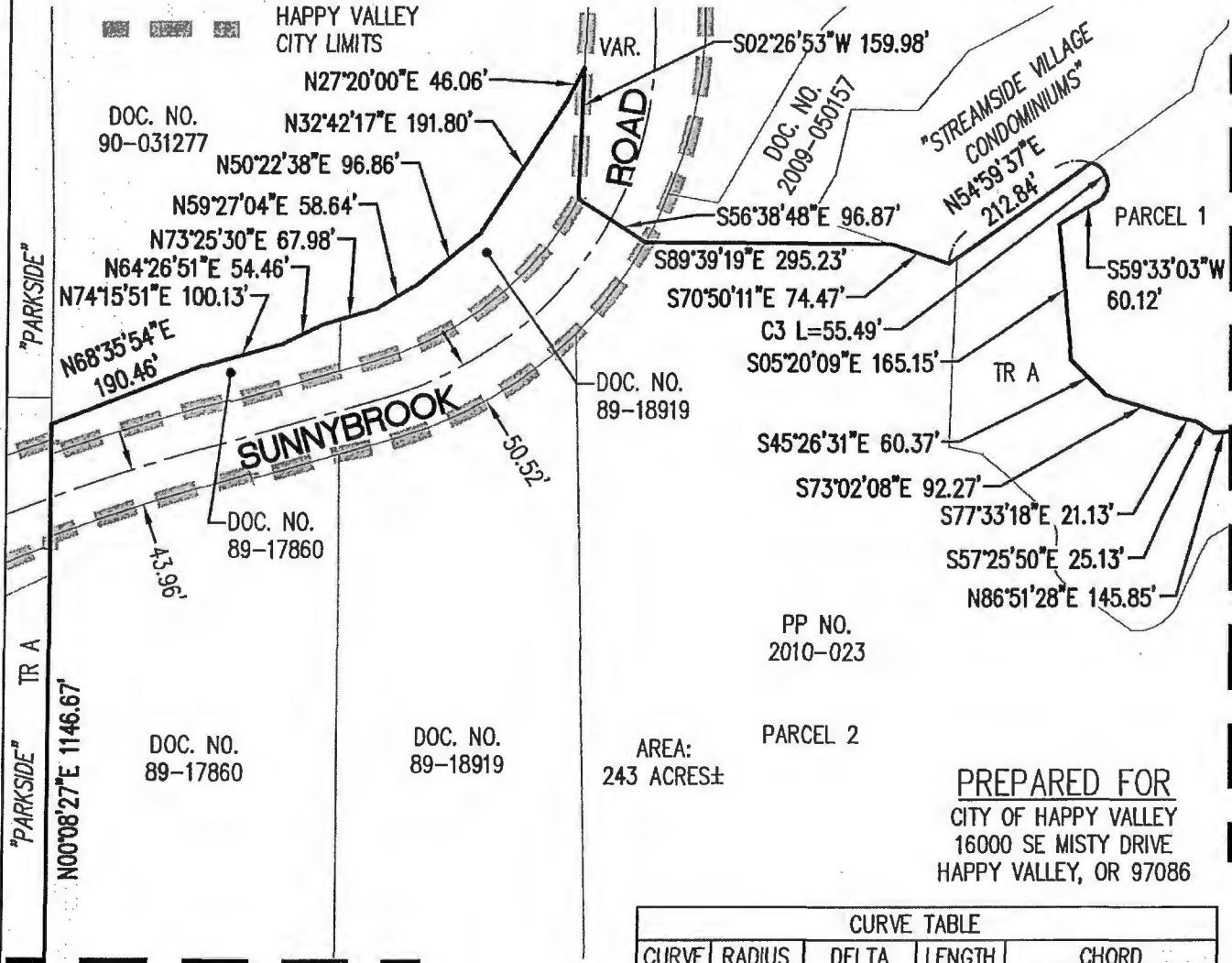
SHEET 2 OF 8

A TRACT OF LAND LOCATED IN SW 1/4 OF SEC. 34 OF T1S, R2E, AND IN SEC. 3, T2S, R2E, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON

LEGEND

- P1 PARCEL NUMBER
- TR TRACT
- HAPPY VALLEY CITY LIMITS

SCALE 1" = 200 FEET



SEE SHEET 3 OF 8

PREPARED FOR
CITY OF HAPPY VALLEY
16000 SE MISTY DRIVE
HAPPY VALLEY, OR 97086

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C3	26.44'	120°19'26"	55.52'	S15°58'43"E 45.87'

SEE SHEET 1 OF 1

3-8-12

REGISTERED PROFESSIONAL LAND SURVEYOR

Nick White
OREGON
JANUARY 9, 2007
NICK WHITE
70652LS
RENEWS: 6/30/12

JOB NAME: COHV ANNEX
JOB NUMBER: 2582
DRAWN BY: MSK
CHECKED BY: NSW
DWG NO.: 2582ANNEX

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SHERWOOD, OR 97140
PHONE: (503) 925-8799
FAX: (503) 925-8969
OFFICES LOCATED IN REDMOND, OR & VANCOUVER, WA

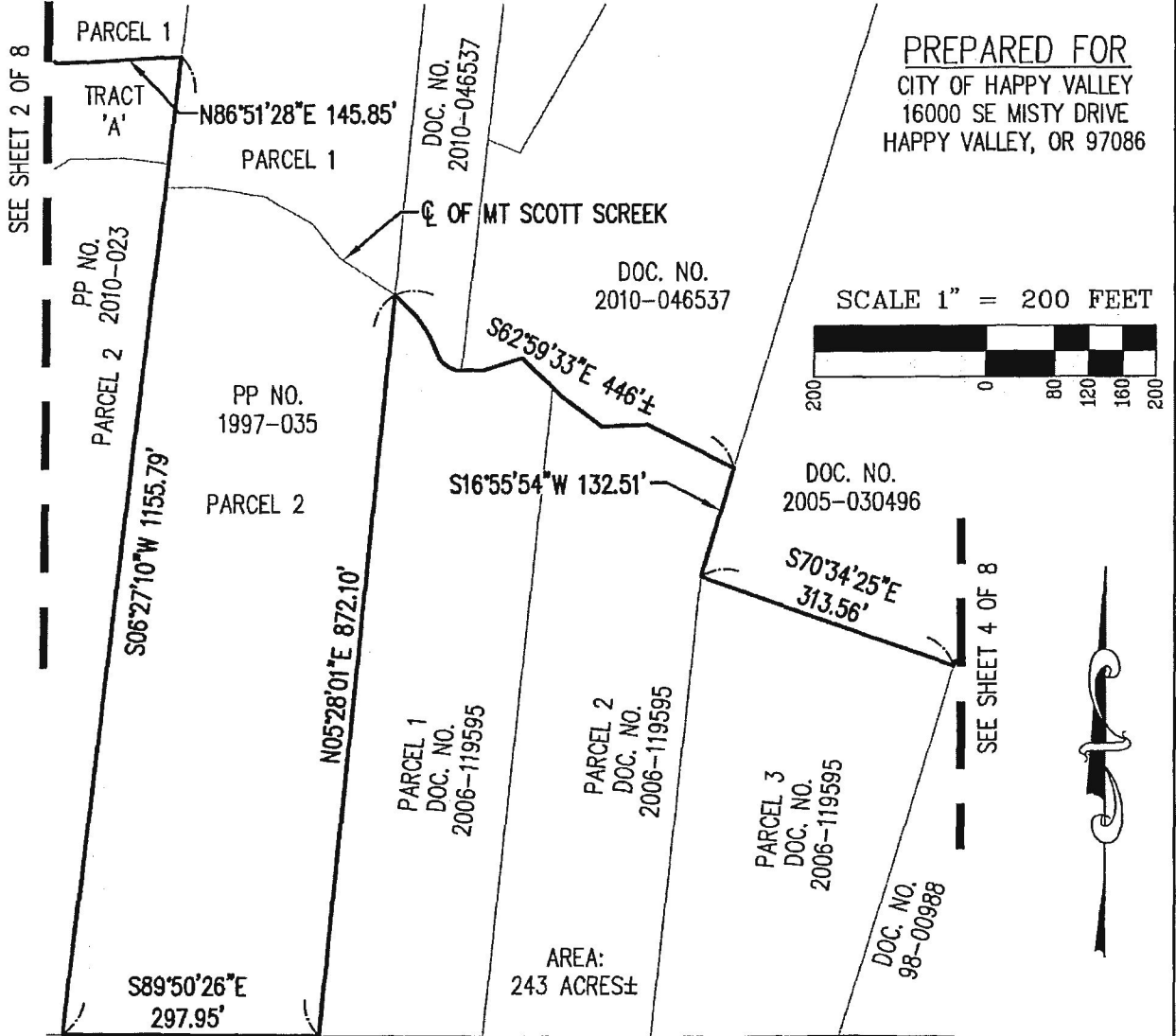
EXHIBIT B

SHEET 3 OF 8

A TRACT OF LAND LOCATED IN SW 1/4 OF SEC. 34 OF T1S, R2E, AND IN SEC. 3, T2S, R2E, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON

LEGEND

- PI PARCEL NUMBER
- TR TRACT
-  HAPPY VALLEY CITY LIMITS



DOC. NO. 98-00988

3-811
REGISTERED
PROFESSIONAL
LAND SURVEYOR

Nick White

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/12

JOB NAME: COHV ANNEX

JOB NUMBER: 2582

DRAWN BY: MSK

CHECKED BY: NSW

DWG NO.: 2582ANNEX

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FORESTRY • SURVEYING



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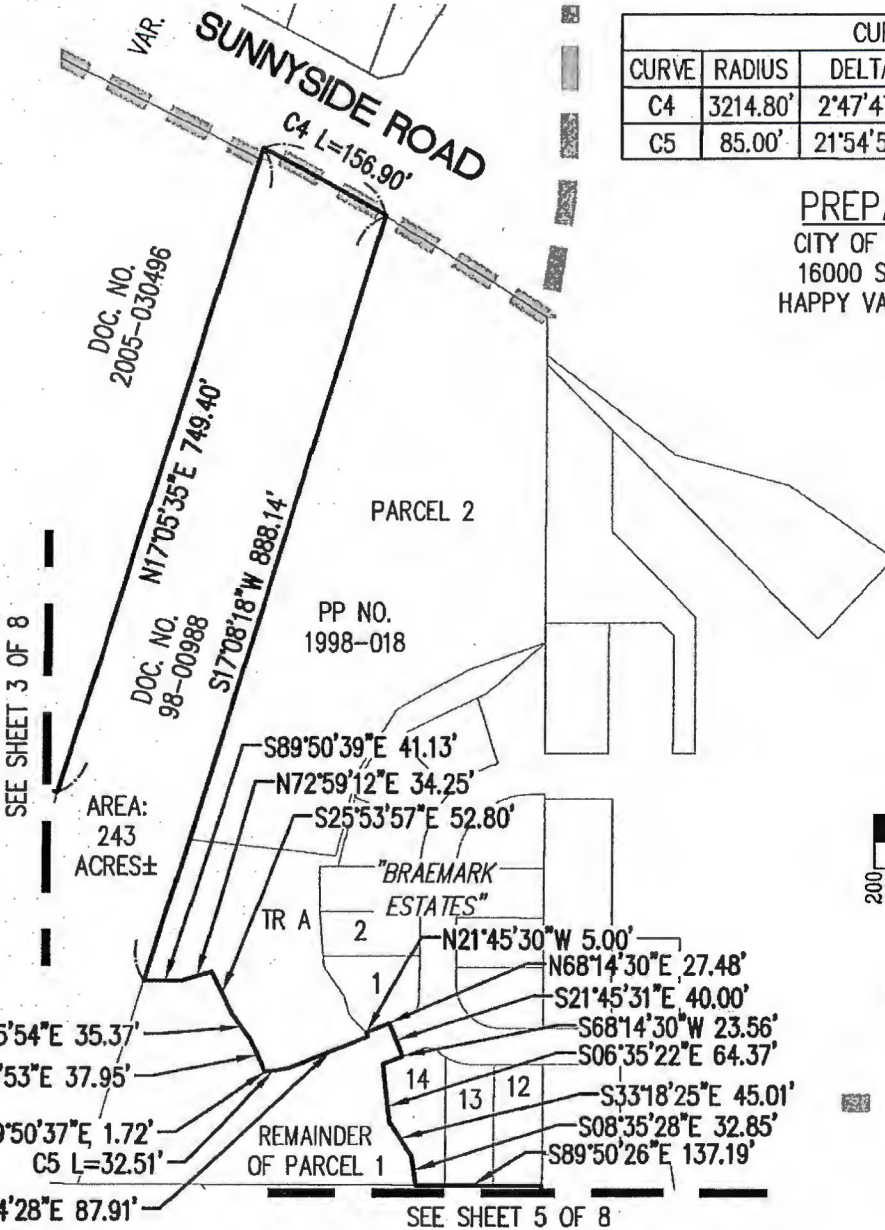
13910 SW GALBREATH
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PHONE: (503) 925-8799
FAX: (503) 925-8969

OFFICES LOCATED IN REDMOND, OR & VANCOUVER, WA

EXHIBIT B

SHEET 4 OF 8

A TRACT OF LAND LOCATED IN SW 1/4 OF SEC. 34 OF T1S, R2E, AND IN SEC. 3, T2S, R2E, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON



CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C4	3214.80'	2°47'47"	156.90'	S60°58'17"E 156.88'
C5	85.00'	21°54'54"	32.51'	N79°11'56"E 32.31'

PREPARED FOR
CITY OF HAPPY VALLEY
16000 SE MISTY DRIVE
HAPPY VALLEY, OR 97086



SCALE 1" = 200 FEET



LEGEND

- P1 PARCEL NUMBER
- TR TRACT
- HAPPY VALLEY CITY LIMITS

SEE SHEET 3 OF 8

SEE SHEET 5 OF 8

38-12

REGISTERED PROFESSIONAL LAND SURVEYOR

Nick White

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/12

JOB NAME: COHV ANNEX

JOB NUMBER: 2582

DRAWN BY: MSK

CHECKED BY: NSW

DWG NO.: 2582ANNEX

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FAX: (503) 925-8969

OFFICES LOCATED IN REDMOND, OR & VANCOUVER, WA

EXHIBIT B

A TRACT OF LAND LOCATED IN SW 1/4 OF SEC. 34
OF T1S, R2E, AND IN SEC. 3, T2S, R2E, WILLAMETTE
MERIDIAN, CLACKAMAS COUNTY, OREGON

SEE SHEET 4 OF 8

LEGEND

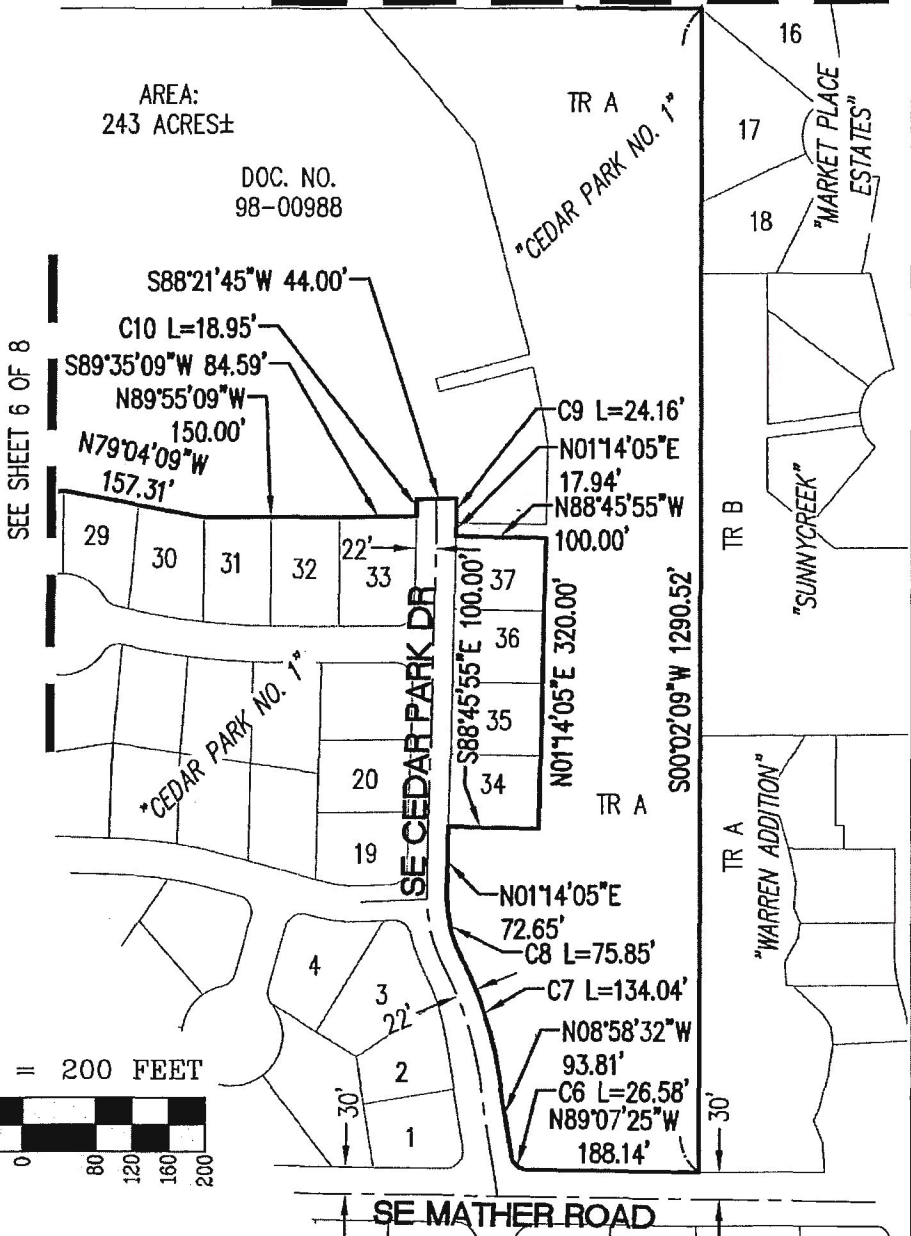
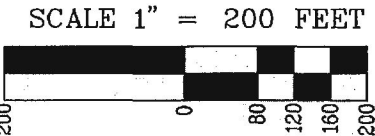
- P1 PARCEL NUMBER
- TR TRACT
- HAPPY VALLEY CITY LIMITS

AREA:
243 ACRES±

DOC. NO.
98-00988

PREPARED FOR
CITY OF HAPPY VALLEY
16000 SE MISTY DRIVE
HAPPY VALLEY, OR 97086

CURVE TABLE			
CURVE	RADIUS	DELTA	CHORD
C6	19.00'	80°08'53"	N49°02'53"W 24.46'
C7	422.00'	18°11'55"	N18°04'23"W 133.48'
C8	153.00'	28°24'18"	N12°58'11"W 75.08'
C9	422.00'	3°16'50"	N00°00'11"E 24.16'
C10	378.00'	2°52'22"	S00°12'03"E 18.95'



3-8-12

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Nick White

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/12

JOB NAME: COHV ANNEX
 JOB NUMBER: 2582
 DRAWN BY: MSK
 CHECKED BY: NSW
 DWG NO.: 2582ANNEX

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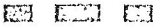
OFFICES LOCATED IN REDMOND, OR & VANCOUVER, WA

EXHIBIT B

SHEET 6 OF 8

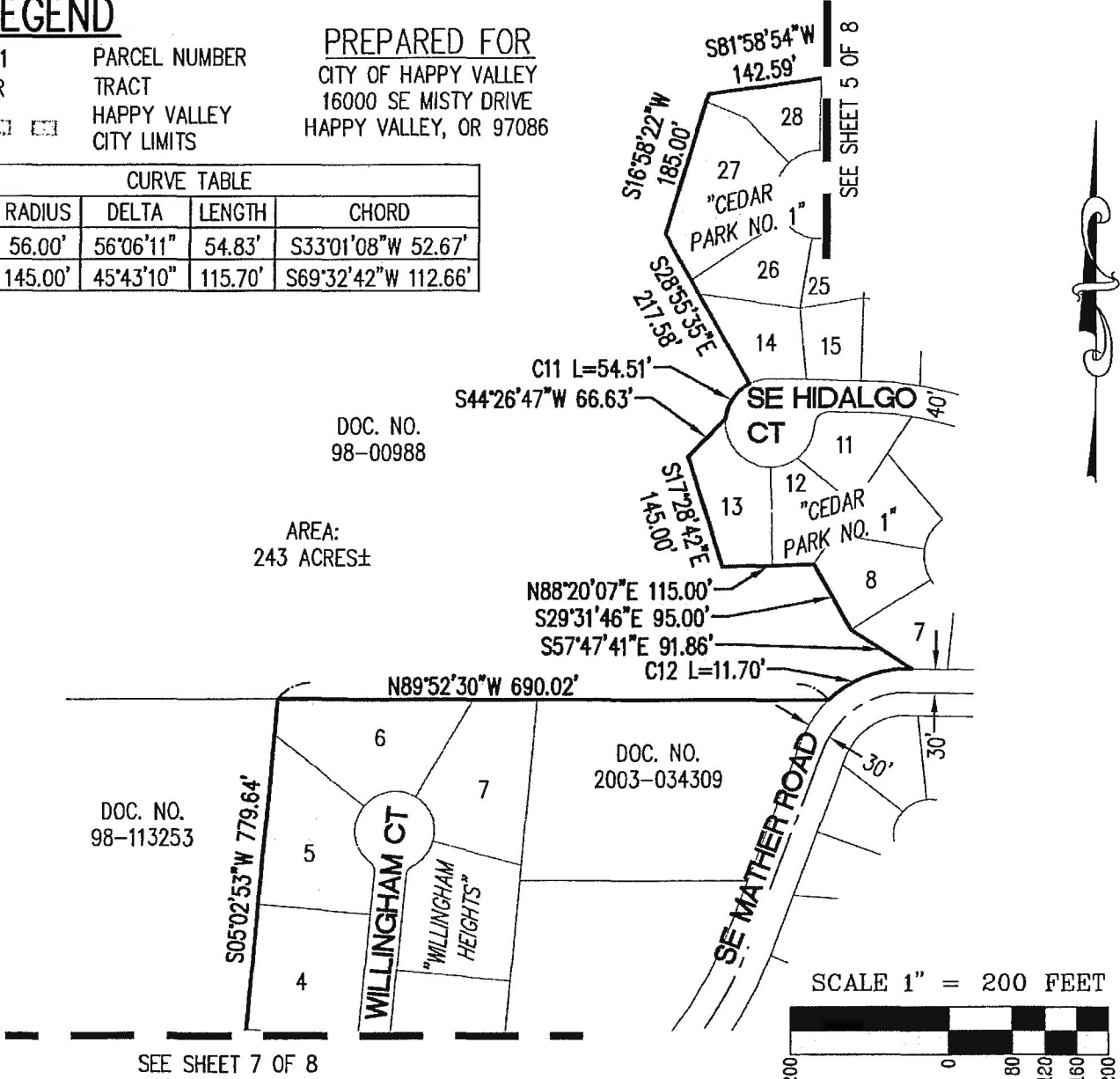
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LEGEND

P1 PARCEL NUMBER
 TR TRACT
 HAPPY VALLEY CITY LIMITS

PREPARED FOR
 CITY OF HAPPY VALLEY
 16000 SE MISTY DRIVE
 HAPPY VALLEY, OR 97086

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C11	56.00'	56°06'11"	54.83'	S33°01'08"W 52.67'
C12	145.00'	45°43'10"	115.70'	S69°32'42"W 112.66'



3-812
 REGISTERED PROFESSIONAL LAND SURVEYOR

 OREGON
 JANUARY 9, 2007
 NICK WHITE
 70652LS
 RENEWS: 6/30/12

JOB NAME: COHV ANNEX
 JOB NUMBER: 2582
 DRAWN BY: MSK
 CHECKED BY: NSW
 DWG NO.: 2582ANNEX

ENGINEERING • PLANNING • LANDSCAPE ARCHITECTURE
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 13910 SW GALBREATH DRIVE, SUITE 100
 SHERWOOD, OR 97140
 PHONE: (503) 925-8799
 FAX: (503) 925-8969
 OFFICES LOCATED IN REDMOND, OR & VANCOUVER, WA

EXHIBIT B

SHEET 7 OF 8

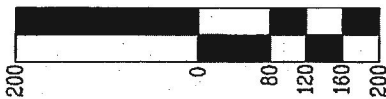
A TRACT OF LAND LOCATED IN SW 1/4 OF SEC. 34
OF T1S, R2E, AND IN SEC. 3, T2S, R2E, WILLAMETTE
MERIDIAN, CLACKAMAS COUNTY, OREGON

LEGEND

- P1 PARCEL NUMBER
- TR TRACT
- HAPPY VALLEY CITY LIMITS

PREPARED FOR
CITY OF HAPPY VALLEY
16000 SE MISTY DRIVE
HAPPY VALLEY, OR 97086

SCALE 1" = 200 FEET

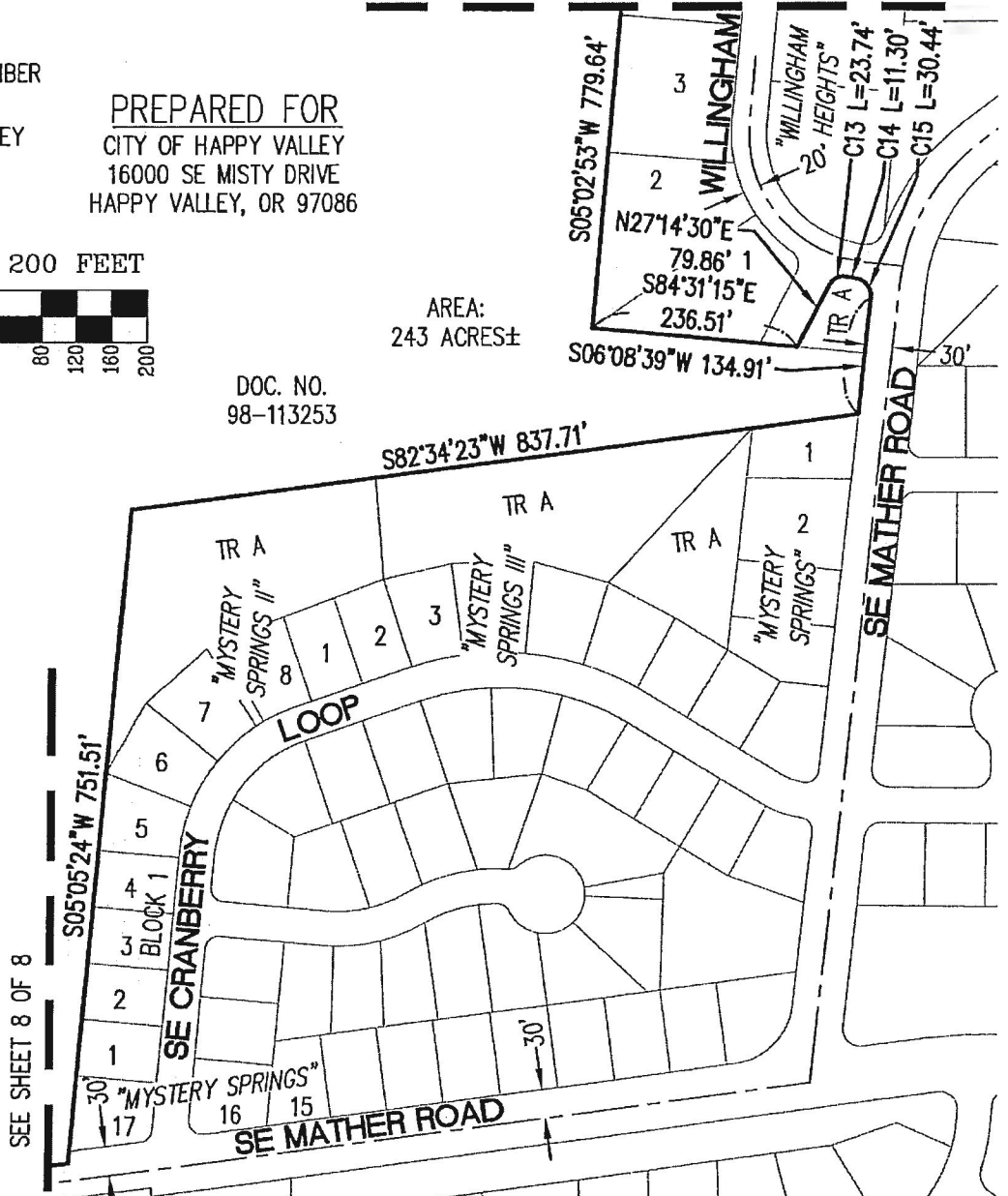


DOC. NO.
98-113253

AREA:
243 ACRES±

SEE SHEET 6 OF 8

CURVE TABLE			
CURVE	RADIUS	DELTA	CHORD
C13	18.00'	75°34'14"	23.74'
C14	170.00'	3°48'30"	11.30'
C15	20.00'	87°12'50"	30.44'
			N65°01'38"E 22.06'
			S79°05'29"E 11.30'
			S37°23'19"E 27.59'



SEE SHEET 8 OF 8

REGISTERED
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LAND SURVEYOR

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/12

JOB NAME: COHV ANNEX

JOB NUMBER: 2582

DRAWN BY: MSK

CHECKED BY: NSW

DWG NO.: 2582ANNEX

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PHONE: (503) 925-8799
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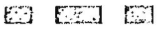
OFFICES LOCATED IN REDMOND, OR & VANCOUVER, WA

EXHIBIT B

SHEET 8 OF 8

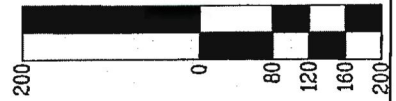
A TRACT OF LAND LOCATED IN SW 1/4 OF SEC. 34
OF T1S, R2E, AND IN SEC. 3, T2S, R2E, WILLAMETTE
MERIDIAN, CLACKAMAS COUNTY, OREGON

LEGEND

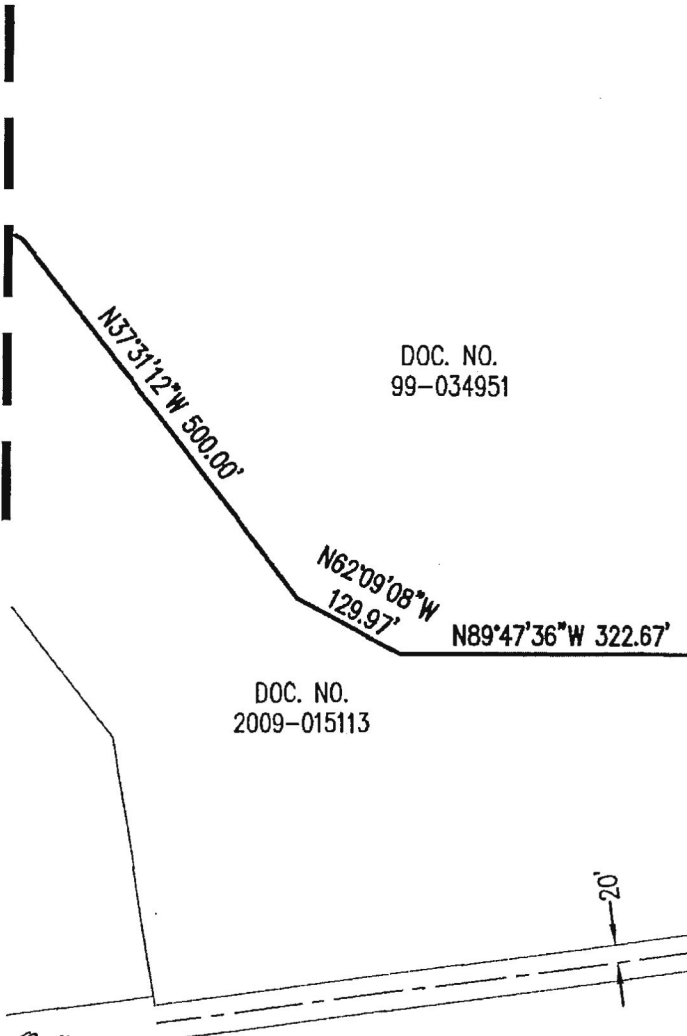
P1 PARCEL NUMBER
TR TRACT
 HAPPY VALLEY CITY LIMITS

PREPARED FOR
CITY OF HAPPY VALLEY
16000 SE MISTY DRIVE
HAPPY VALLEY, OR 97086

SCALE 1" = 200 FEET



SEE SHEET 1 OF 8



DOC. NO.
99-034951

AREA:
243 ACRES±

DOC. NO.
98-113253

DOC. NO.
2009-015113

SEE SHEET 7 OF 8

3-8-12

REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/12

JOB NAME: COHV ANNEX

JOB NUMBER: 2582

DRAWN BY: MSK

CHECKED BY: NSW

DWG NO.: 2582ANNEX

ENGINEERING • PLANNING • LANDSCAPE ARCHITECTURE
FORESTRY • SURVEYING



LICENSED IN OR & WA

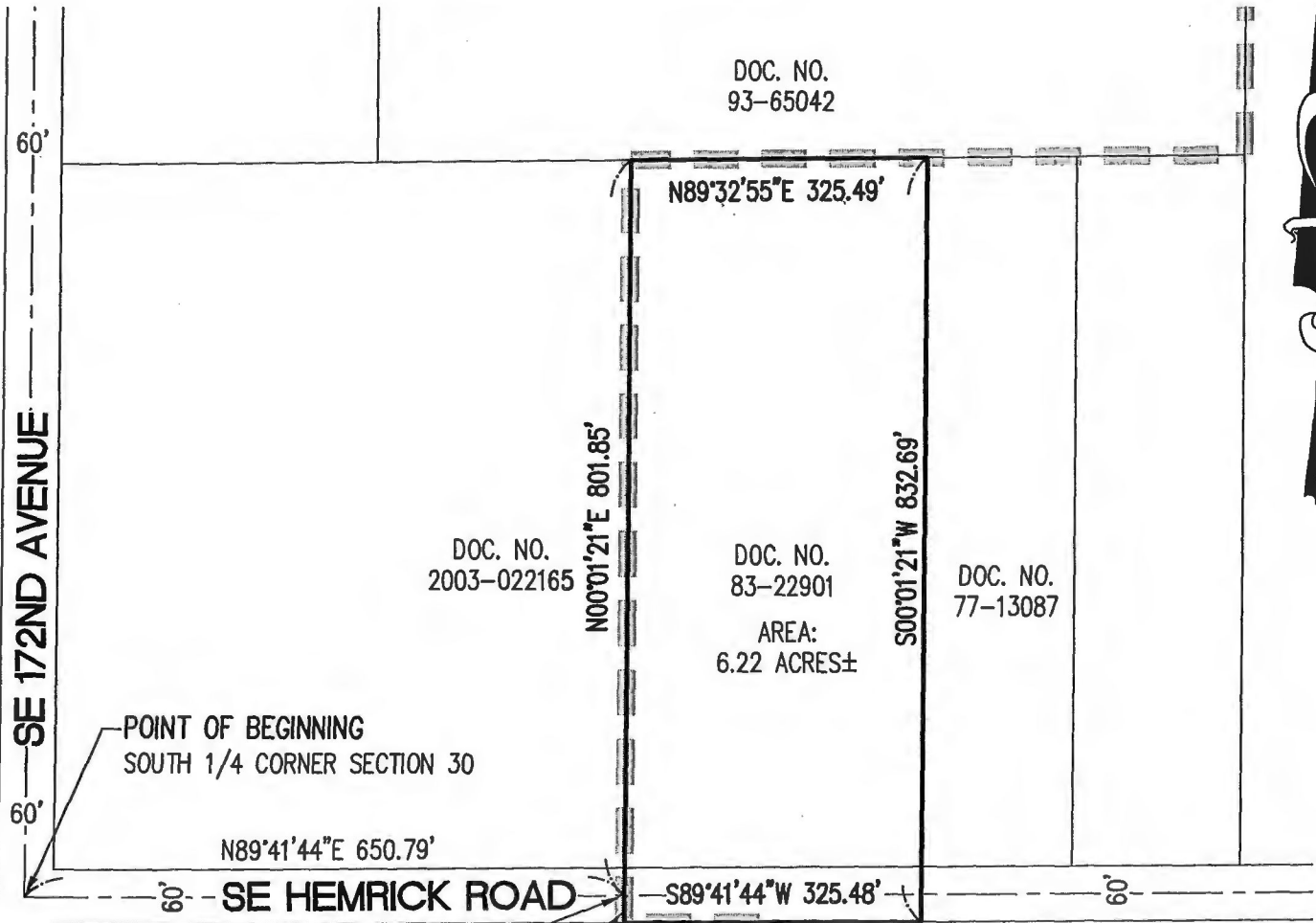
13910 SW GALBREATH
DRIVE, SUITE 100
SHERWOOD, OR 97140
PHONE: (503) 925-8799
FAX: (503) 925-8969

OFFICES LOCATED IN REDMOND, OR & VANCOUVER, WA

EXHIBIT B

A TRACT OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 1 SOUTH, RANGE 3 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON

DOC. NO.
93-65042



SE 172ND AVENUE

N89°32'55"E 325.49'

DOC. NO.
2003-022165

DOC. NO.
83-22901

DOC. NO.
77-13087

AREA:
6.22 ACRES±

POINT OF BEGINNING
SOUTH 1/4 CORNER SECTION 30

N00°01'21"E 801.85'

S00°01'21"W 832.69'

N89°41'44"E 650.79'

SE HEMRICK ROAD

S89°41'44"W 325.48'

TRUE POINT
OF BEGINNING
N00°01'21"E 30.00'

LEGEND

DOC. NO. DOCUMENT NUMBER
VAR. VARIABLE WIDTH
RIGHT-OF-WAY
HAPPY VALLEY
CITY LIMITS

SCALE 1" = 200 FEET



PREPARED FOR
CITY OF HAPPY VALLEY
16000 SE MISTY DRIVE
HAPPY VALLEY, OR 97086

3-7-12

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Nick White

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/12

JOB NAME: COHV ANNEX

JOB NUMBER: 2582

DRAWN BY: MSK

CHECKED BY: NSW

DWG NO.: 2582ANNEX

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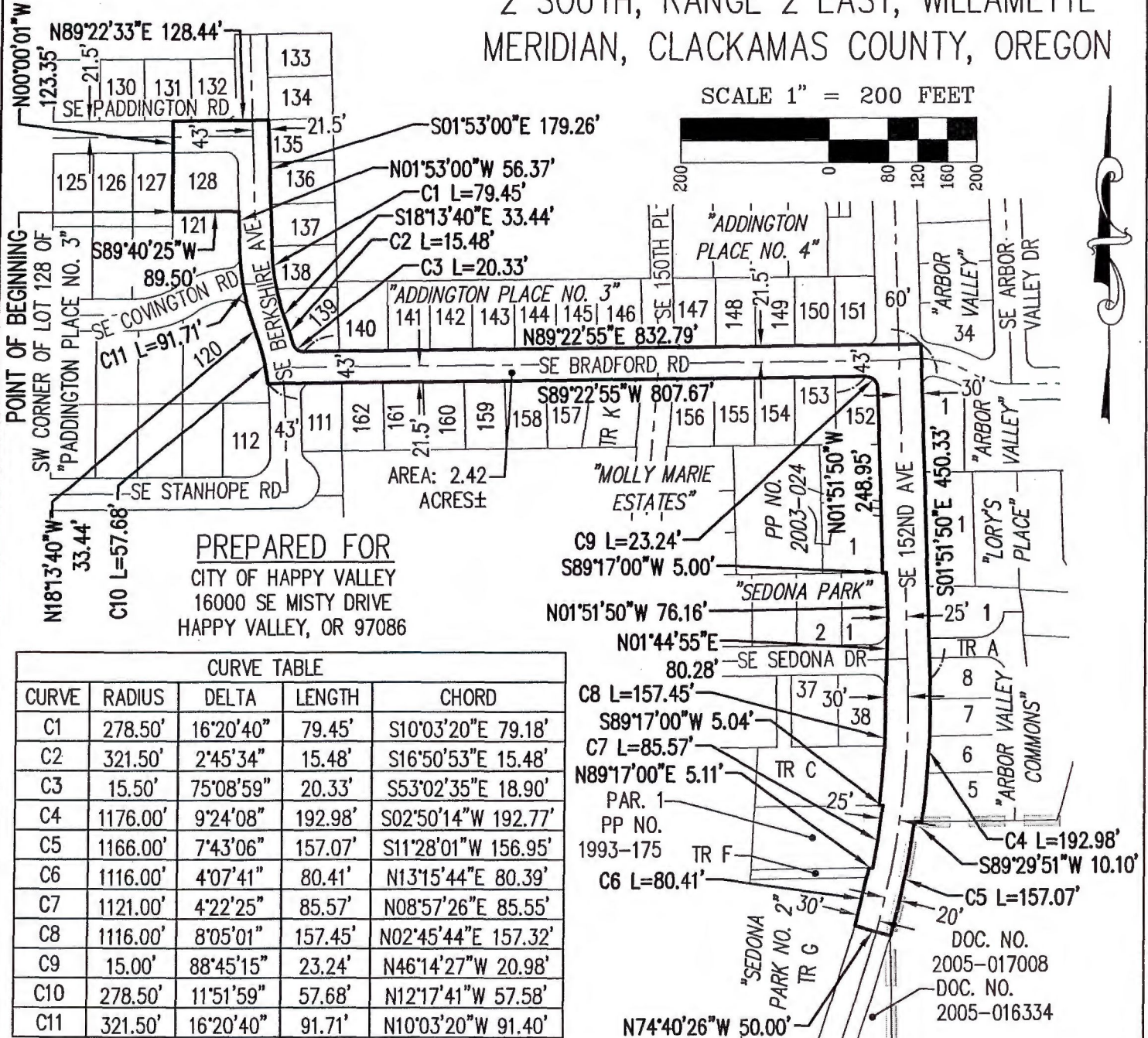
OFFICES LOCATED IN REDMOND, OR & VANCOUVER, WA

LEGEND

DOC. NO. DOCUMENT NUMBER
 TR TRACT
 HAPPY VALLEY CITY LIMITS

EXHIBIT B

A TRACT OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 2 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON



CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	278.50'	16°20'40"	79.45'	S10°03'20"E 79.18'
C2	321.50'	2°45'34"	15.48'	S16°50'53"E 15.48'
C3	15.50'	75°08'59"	20.33'	S53°02'35"E 18.90'
C4	1176.00'	9°24'08"	192.98'	S02°50'14"W 192.77'
C5	1166.00'	7°43'06"	157.07'	S11°28'01"W 156.95'
C6	1116.00'	4°07'41"	80.41'	N13°15'44"E 80.39'
C7	1121.00'	4°22'25"	85.57'	N08°57'26"E 85.55'
C8	1116.00'	8°05'01"	157.45'	N02°45'44"E 157.32'
C9	15.00'	88°45'15"	23.24'	N46°14'27"W 20.98'
C10	278.50'	11°51'59"	57.68'	N12°17'41"W 57.58'
C11	321.50'	16°20'40"	91.71'	N10°03'20"W 91.40'

3-777

REGISTERED PROFESSIONAL LAND SURVEYOR

Nick White

OREGON
 JANUARY 9, 2007
 NICK WHITE
 70652LS
 RENEWS: 6/30/12

JOB NAME: COHV ANNEX

JOB NUMBER: 2582

DRAWN BY: MSK

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DWG NO.: 2582ANNEX

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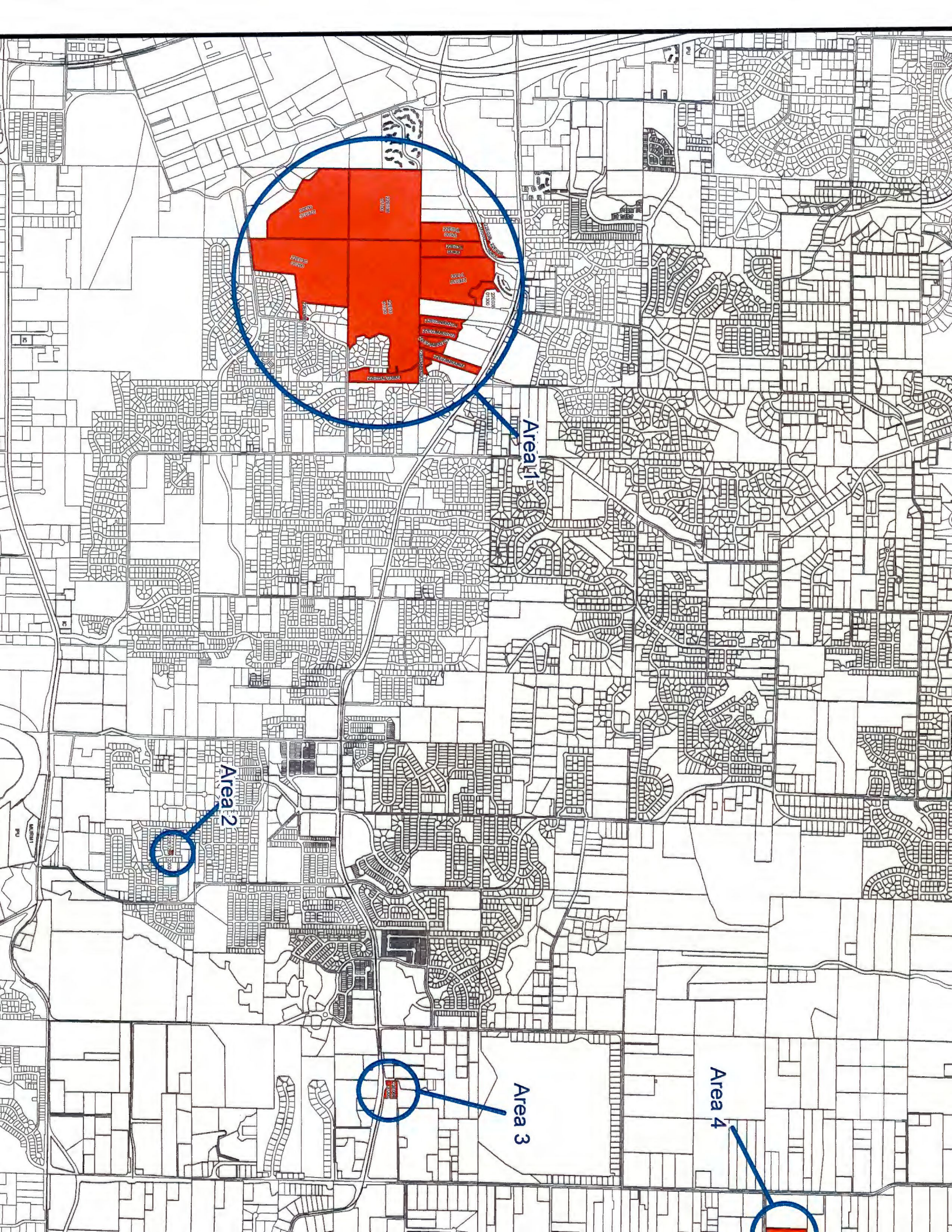
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 PHONE: (503) 925-8799
 FAX: (503) 925-8969

OFFICES LOCATED IN REDMOND, OR & VANCOUVER, WA

DOC. NO.
 2005-017008
 DOC. NO.
 2005-016334





CITY OF HAPPY VALLEY

16000 SE Misty Drive
Happy Valley, OR 97086
Phone: 503-783-3800 Fax: 503-658-5174

PETITION TO ANNEX

To the City Council of the
City of Happy Valley, Oregon

I (we), the undersigned owner(s) of the property described below and/or elector(s) residing at the location below described, hereby petition and give consent to, annexation of said property to the City of Happy Valley.

The consent for annexation is for the following described property:

17505 SE Hemrick P.D.
Street Address of Property (if address has been assigned)

Legal Description (Subdivision Name, Lot number(s))

13E30D02303
Tax Map and Tax Lot Number

SIGNATURE(S) OF LEGAL OWNER(S) AND/OR REGISTERED VOTER(S)

Edna M. W. Starnes EMW EMW 12-7-11
Signature Owner Initial Voter Initial Date

Signature Owner Initial Voter Initial Date

Other Authorized Signature Owner Initial Voter Initial Date

17505 SE Hemrick P.D. 503-658-2633 _____
Street Address Home Phone Work Phone

Damascus OR
Mailing Address

97289
City, State and Zip Code

A legal description and a copy of the assessor's map of the property must be submitted with this petition.

We, the owner(s) of the property described above and/or elector(s) residing on said property understand the annexation process can take more than a year. Therefore, we agree to waive the one-year time limitation on this consent established by ORS 222.173, and further agree that this contract shall be effective

Indefinitely, or until
Edna M. W. Starnes _____
Signature Date 12-7-11 Signature Date

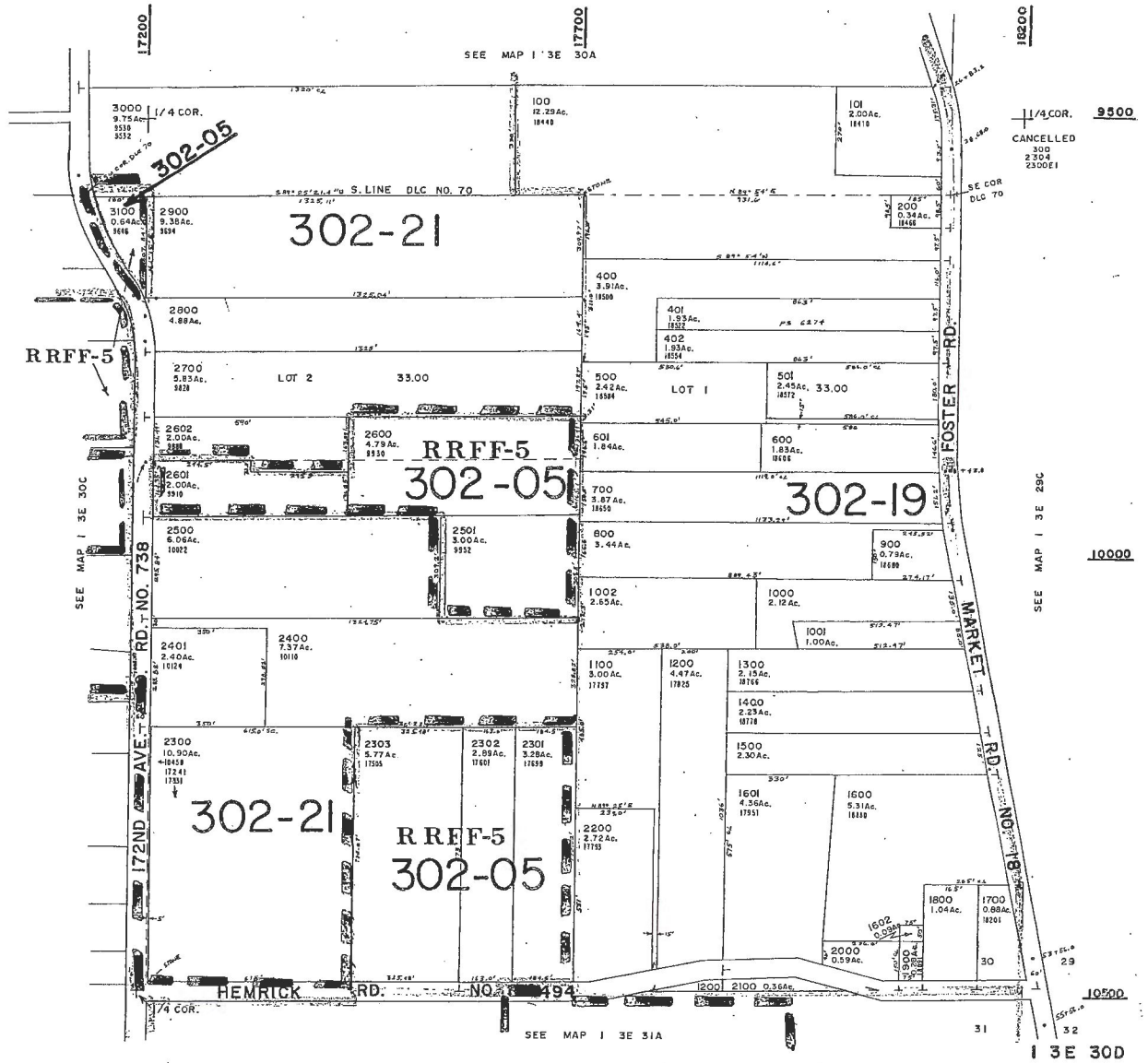
The Population Research Center at Portland State University compiles population estimates which they report to the State of Oregon on an annual basis. The State of Oregon then uses these estimates to determine the City's Fair Share of state funds. Please help us with this effort by indicating below the number of housing units on the above indicated tax lots and the number of people residing in these housing units. THANK YOU!

Number of housing unit on above lot: me
Types of housing units: Single family ___ Multi-family ___ Mobile home or trailer
Number of people occupying these units: 3

S.E. 1/4 SECTION 30 T.1S. R.3E. W.M.
CLACKAMAS COUNTY
1" = 200'

D.L.C.
M.W. NOBEL NO. 70

1 3E 30D



13E30D 02303



CITY OF HAPPY VALLEY
 16000 SE Misty Drive
 Happy Valley, OR 97086
 Phone: 503-783-3800 Fax: 503-658-5174
PETITION TO ANNEX

To the City Council of the
 City of Happy Valley, Oregon

I (we), the undersigned owner(s) of the property described below and/or elector(s) residing at the location below described, hereby petition and give consent to, annexation of said property to the City of Happy Valley.

The consent for annexation is for the following described property:

14651 Se Berkshire Ave (Clackamas)
 Street Address of Property (if address has been assigned)

Hodkinson Place
 Legal Description (Subdivision Name, Lot number(s))

22E12BA12200 See attached map
 Tax Map and Tax Lot Number

SIGNATURE(S) OF LEGAL OWNER(S) AND/OR REGISTERED VOTER(S)

<u>[Signature]</u>	<u>[Initials]</u>	<u>[Initials]</u>	<u>12/1/11</u>
Signature	Owner Initial	Voter Initial	Date
<u>Heather M. Sheahan</u>	<u>HS</u>	<u>HS</u>	<u>12/1/11</u>
Signature	Owner Initial	Voter Initial	Date

Other Authorized Signature	Owner Initial	Voter Initial	Date
<u>14651 Se Berkshire Ave</u>	<u>503-427-2699</u>	<u>503-853-6583</u>	
Street Address	Home Phone	Work Phone	
<u>Clackamas OR 97015</u>			
Mailing Address			
<u>Sumner</u>			
City, State and Zip Code			

A legal description and a copy of the assessor's map of the property must be submitted with this petition.

We, the owner(s) of the property described above and/or elector(s) residing on said property understand the annexation process can take more than a year. Therefore, we agree to waive the one-year time limitation on this consent established by ORS 222.173, and further agree that this contract shall be effective

Indefinitely, or until _____

<u>[Signature]</u>	<u>[Date]</u>	<u>Heather M. Sheahan</u>	<u>12/1/11</u>
Signature	Date	Signature	Date

The Population Research Center at Portland State University compiles population estimates which they report to the State of Oregon on an annual basis. The State of Oregon then uses these estimates to determine the City's Fair Share of state funds. Please help us with this effort by indicating below the number of housing units on the above indicated tax lots and the number of people residing in these housing units. THANK YOU!

Number of housing unit on above lot: 14651

Types of housing units: Single family ___ Multi-family ___ Mobile home or trailer

Number of people occupying these units: 0

NE 1/4 NW 1/4 SEC 12 T 2S R 2E WM
CLACKAMAS COUNTY

SCALE 1" = 100' SEE MAP 2 2E 1CD

SEE MAP 2 2E 1DC

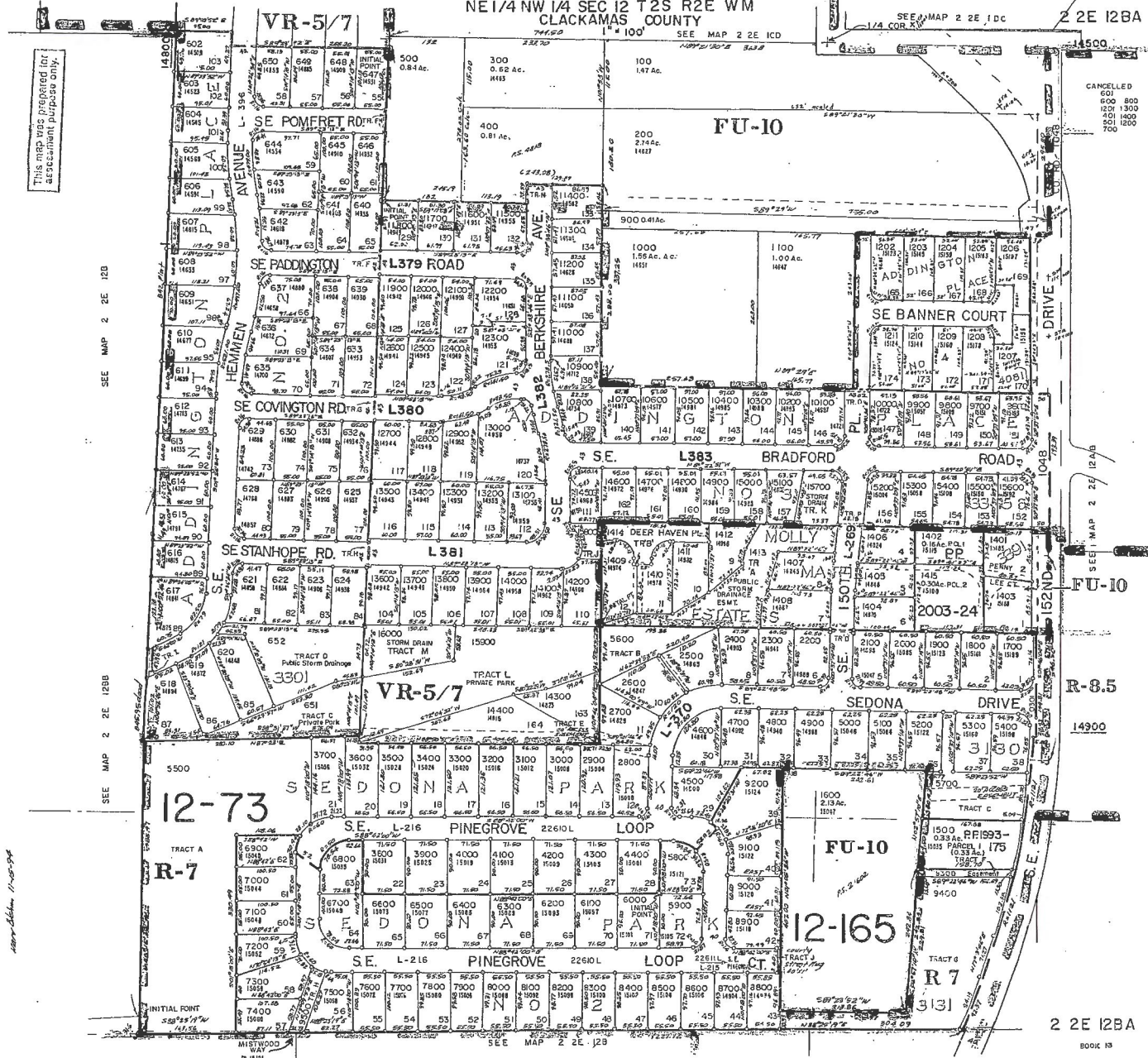
2 2E 12BA

This map was prepared for
assessment purposes only.

SEE MAP 2 2E 12B

SEE MAP 2 2E 12BB

11-20-94



CANCELLED
500
600
800
1200
1300
1500
1600
1700

2 2E 12BA
BOOK 13

22E12BA12200



CITY OF HAPPY VALLEY

16000 SE Misty Drive
Happy Valley, OR 97086
Phone: 503-783-3800 Fax: 503-658-5174

PETITION TO ANNEX

To the City Council of the
City of Happy Valley, Oregon

I (we), the undersigned owner(s) of the property described below and/or elector(s) residing at the location below described, hereby petition and give consent to, annexation of said property to the City of Happy Valley.

The consent for annexation is for the following described property:

16661 SE Sunnyside Road Clackamas, OR 97015

Street Address of Property (if address has been assigned)

Attached (copy of Exhibits A & B of the recorded Warranty Deed to Clackamas County)

Legal Description (Subdivision Name, Lot number(s))

23E06B 00200

Tax Map and Tax Lot Number

SIGNATURE(S) OF LEGAL OWNER(S) AND/OR REGISTERED VOTER(S)

Campbell M. Gilmour
Signature: Campbell M. Gilmour,
Director of DTD

CMG
Owner Initial

Voter Initial

12/13/2011
Date

Signature

Owner Initial

Voter Initial

Date

Other Authorized Signature

Owner Initial

Voter Initial

Date

(503) 742-4340

Clackamas County DTD
Street Address

Home Phone

Work Phone

150 Beaver Creek Rd.
Mailing Address

Oregon City, OR 97045
City, State and Zip Code

A legal description and a copy of the assessor's map of the property must be submitted with this petition.

We, the owner(s) of the property described above and/or elector(s) residing on said property understand the annexation process can take more than a year. Therefore, we agree to waive the one-year time limitation on this consent established by ORS 222.173, and further agree that this contract shall be effective

Indefinitely, or until _____

Campbell M. Gilmour 12/13/2011
Signature Date

Signature Date

The Population Research Center at Portland State University compiles population estimates which they report to the State of Oregon on an annual basis. The State of Oregon then uses these estimates to determine the City's Fair Share of state funds. Please help us with this effort by indicating below the number of housing units on the above indicated tax lots and the number of people residing in these housing units. THANK YOU!

Number of housing unit on above lot: 0

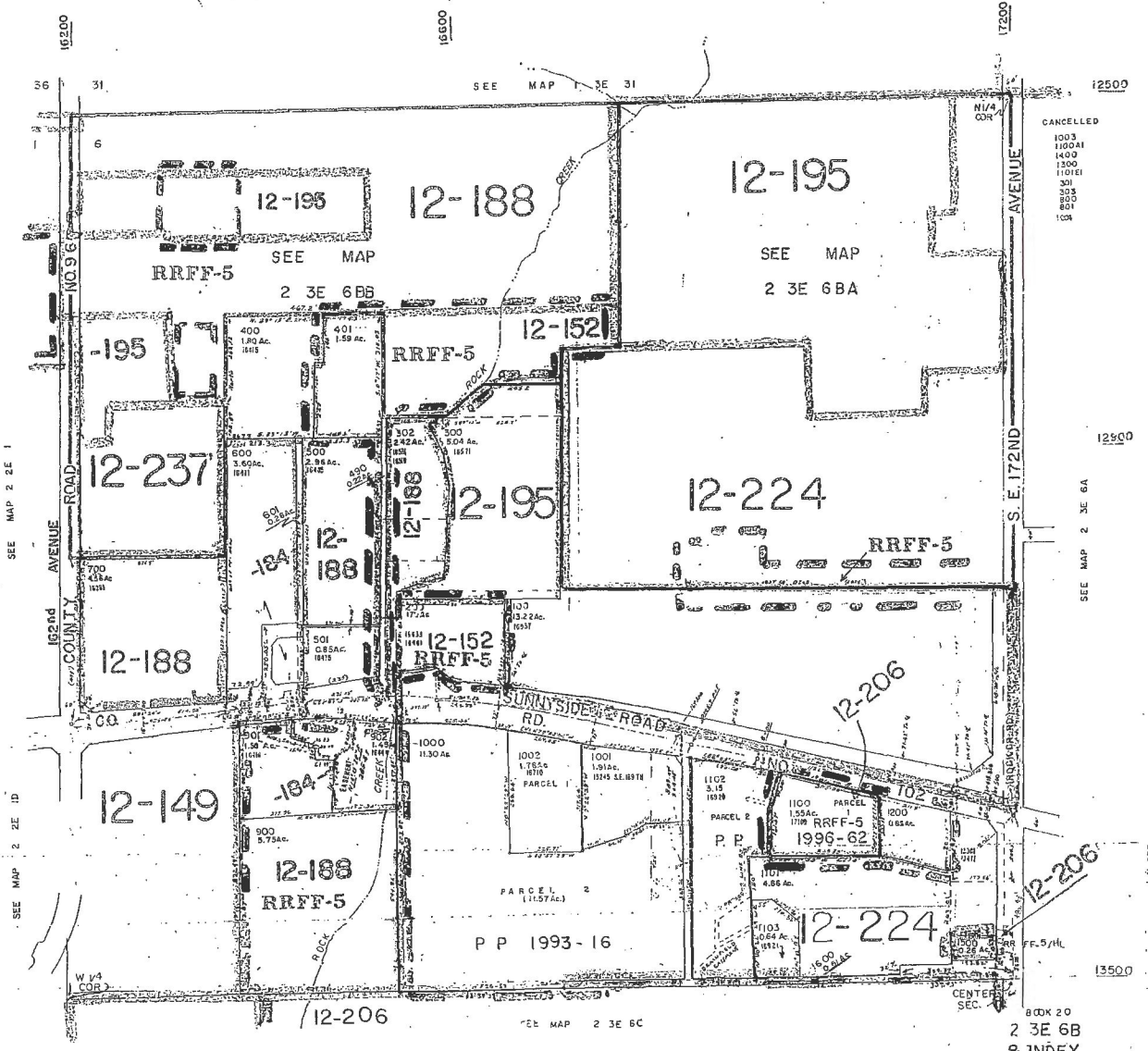
Types of housing units: 0 Single family 0 Multi-family 0 Mobile home or trailer

Number of people occupying these units: 0

This map was prepared for assessment purpose only.

NW1/4 SEC. 6 T2S. R3E. W.M.
CLACKAMAS COUNTY
1" = 200'

2 3E 6B
& INDEX



23E06B00200

BOOK 20
2 3E 6B
& INDEX



CITY OF HAPPY VALLEY

16000 SE Misty Drive
 Happy Valley, OR 97086
 Phone: 503-783-3800 Fax: 503-658-5174

PETITION TO ANNEX

To the City Council of the
 City of Happy Valley, Oregon

I (we), the undersigned owner(s) of the property described below and/or elector(s) residing at the location below described, hereby petition and give consent to, annexation of said property to the City of Happy Valley.

The consent for annexation is for the following described property:

11595 SE Mather Rd. and associated Mt. Talbert
 Street Address of Property (if address has been assigned) properties

Please see attached!
 Legal Description (Subdivision Name, Lot number(s))

Please see attached Map

Tax Map and Tax Lot Number

22E03AB002702, 22E03AB00703, 22E03AB00704, 22E03B01100, 22E03B01200, 22E03A1100, 22E03AB00300, 22E03AB00400, 22E03C002100, 22E03C00300, 22E03A103800, 22E03B00400, 22E03B00500, and 22E03B00600

SIGNATURE(S) OF LEGAL OWNER(S) AND/OR REGISTERED VOTER(S)

<u>Michelle Stealy (NCRP)</u> Signature	<u>MS</u> Owner Initial	<u>J</u> Voter Initial	<u>12/12/11</u> Date
<u>James D. (McDoo)</u> Signature	<u>JW</u> Owner Initial	<u>J</u> Voter Initial	<u>12-14-11</u> Date
<u>[Signature]</u> Other Authorized Signature	<u>[Initials]</u> Owner Initial	<u>[Initials]</u> Voter Initial	<u>12/16/11</u> Date

150 Beaver Creek Rd.
 Street Address

Home Phone

Work Phone

503-742-4356

Same

Mailing Address

Oregon City, OR 97045
 City, State and Zip Code

A legal description and a copy of the assessor's map of the property must be submitted with this petition.

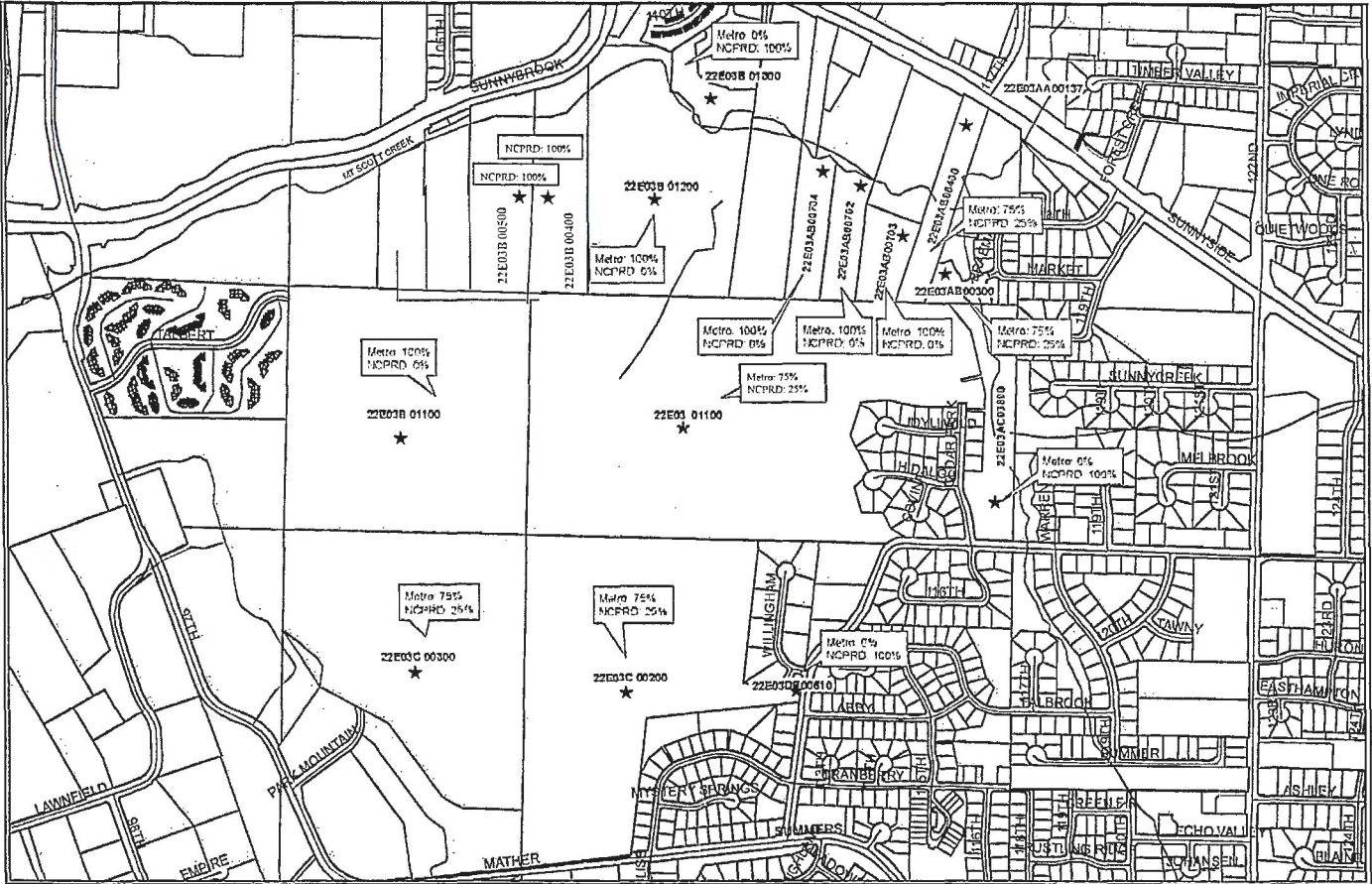
We, the owner(s) of the property described above and/or elector(s) residing on said property understand the annexation process can take more than a year. Therefore, we agree to waive the one-year time limitation on this consent established by ORS 222.173, and further agree that this contract shall be effective

Indefinitely, or until _____
Michelle Stealy 12/12/11 James D. (McDoo) 12/14/11
 Signature Date Signature Date

The Population Research Center at Portland State University compiles population estimates which they report to the State of Oregon on an annual basis. The State of Oregon then uses these estimates to determine the City's Fair Share of state funds. Please help us with this effort by indicating below the number of housing units on the above indicated tax lots and the number of people residing in these housing units. THANK YOU!

Number of housing unit on above lot: _____
 Types of housing units: Single family Multi-family Mobile home or trailer
 Number of people occupying these units: _____

Mount Talbert Nature Park Ownership Map



Wednesday, December 28, 2011



SUNNYSIDE UNITED NEIGHBORS (SUN) CPO

PO Box 306
Clackamas, OR 97015

November 18, 2011

Metro
Attn: Dan Moeller, Natural Areas Land Manager
600 NE Grand Avenue
Portland, OR 97232-2736

North Clackamas Parks & Recreation District
Attn: Gary Barth, Director
150 Beaver Creek Road
Oregon City, OR 97045

City of Happy Valley
Attn: Michael D. Walter, Economic & Community Development Director
16000 SE Misty Drive
Happy Valley, OR 97086

Re: July 25, 2011 letter regarding *Institutional and Public Use District*

Dear Gentlemen:

The Sunnyside United Neighbors has been in contact with Michael Walter and Jason Tuck of the City of Happy Valley regarding several aspects of the future annexation of the NCPRD and Metro-owned properties that make up the publicly-owned land on Mt. Talbert within the city limits of Happy Valley. Recently, Michael Walter brought to the SUN CPO's attention, his letter of July 25, 2011 requesting that the *Institutional and Public Use District* (16.24.010 – IPU) become the official zone for developed parks and open spaces within the city of Happy Valley.

The SUN CPO Board met and discussed this issue in great detail. Although we many not always agree with some of Happy Valley's philosophies, actions and goals, it is with great pleasure that we concur completely with their request to have their *Institutional and Public Use District* be applied to these properties upon annexation.

EXHIBIT # E

Representation from Sunnyside United Neighbors was not invited to attend the meeting where the annexation discussion took place, nor any other related discussions. I was told later that someone at one of the meetings said that the Sunnyside United Neighbors CPO would be against the wording of this IPU District. Nothing can be further from the truth!

It is important for a developed park land to be identified as such and for it to be taken out of the residential classification(s) given to it before the land became a park for public use. In addition, transferring density – especially from large parcels onto smaller lots -- brings out anger from the community against government. Not only does compacted density on neighboring lots greatly affect livability issues, but the physical density that results in new structures being out-of-character with the neighborhood will frequently bring unnecessary and undesired problems to the area – usually with inadequate means to resolve the situation. Too many vacant houses, vacant residential lots, and vacant apartments are found throughout the metro region (in good times and in bad) to support the argument that we must have as much density as possible – no matter what the effect is on the neighborhoods. This is why developed park lands need their own unencumbered zone.

The Sunnyside United Neighbors CPO Board voted unanimously to support Happy Valley's request, and we ask that Metro and the North Clackamas Parks & Recreation District endorse this change as part of the annexation process.

Thank you in advance, for your support.

Sincerely,

A handwritten signature in cursive script that reads "Martha Waldemar".

Martha Waldemar,
Chair

cc: Jason Tuck, City Manager (via e-mail)
Michele Healy, Deputy Director NCPRD (via e-mail)

ORDINANCE NO. 423
CITY OF HAPPY VALLEY

AN ORDINANCE ANNEXING TERRITORY INTO THE CITY OF HAPPY VALLEY,
OREGON AND THE NORTH CLACKAMAS PARKS AND RECREATION
DISTRICT, WITHDRAWING SAID TERRITORY FROM THE CLACKAMAS
COUNTY ENHANCED LAW ENFORCEMENT DISTRICT, AMENDING OFFICIAL
MAP EXHIBIT 11 OF THE CITY OF HAPPY VALLEY LAND DEVELOPMENT
ORDINANCE NO. 97, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to ORS 222.125 the City of Happy Valley received petitions signed by 100 percent of the owners of 100 percent of the properties with 100 percent of the assessed value of territory requesting annexation (ANN-01-12/LDC-01-12/CPA-01-12); and

WHEREAS, the proposed annexation territory consists of 18 tax lots totaling 246.67 acres of land adjacent to existing city boundaries; and

WHEREAS, the specific tax lots to be annexed include:

13E30D 02303, 22E12BA12200, 23E06B 00200, 22E03AB00702, 22E03AB00703, 22E03AB00704, 22E03B 01100, 22E03B 01200, 22E03 01100, 22E03AB00300, 22E03AB00400, 22E03C 00200, 22E03C 00300, 22E03AC03800, 22E03B 01300, 22E03B 00400, 22E03B 00500, and 22E03DB00610; and

WHEREAS, the City provided notice that the City Council would consider the annexation petitions, consistent with the applicable notice requirements of (1) Section 16.61.050 of the City's Land Development Code, (2) applicable provisions of Metro Code Chapter 3.09, and (3) applicable state law requirements; and

WHEREAS, the City has adopted an expedited decision process for annexations consistent with Metro Code Chapter 3.09.045; and

WHEREAS, pursuant to Section 16.67.070 of the Happy Valley Municipal Code, the tax lots proposed for annexation will be re-designated and re-zoned from existing Clackamas County designations/zones to the applicable city designations/zones per the City's Development Code; and

WHEREAS, the City Council considered the proposed annexation at its regularly scheduled City Council meeting on March 20, 2012; and

WHEREAS, the City Council deems it in the public's interest to declare an emergency so that this ordinance takes effect as specified below, prior to the expiration of the 30-day period specified in the City Charter.

Exhibit F

Now, therefore, based on the foregoing,

THE CITY OF HAPPY VALLEY ORDAINS AS FOLLOWS:

Section 1. The City Council declares the territory described in Exhibit A, and depicted in Exhibit B is annexed to Happy Valley effective March 20, 2012.

Section 2. The City of Happy Valley declares through the legislative process that the following city comprehensive plan designations and zoning districts shall apply to the tax lots proposed for annexation, as pursuant to Section 16.67.070 of the Happy Valley Municipal Code:

13E30D 02303 - High Density Residential-Attached (SFA)
22E12BA12200 - Medium Density Single-Family Residential (R-5)
23E06B 00200 - High Density Residential-Attached (MUR-A)
22E03AB00702 - Institutional and Public Use (IPU)
22E03AB00703 - Institutional and Public Use (IPU)
22E03AB00704 - Institutional and Public Use (IPU)
22E03B 01100 - Institutional and Public Use (IPU)
22E03B 01200 - Institutional and Public Use (IPU)
22E03 01100 - Institutional and Public Use (IPU)
22E03AB00300 - Institutional and Public Use (IPU)
22E03AB00400 - Institutional and Public Use (IPU)
22E03C 00200 - Institutional and Public Use (IPU)
22E03C 00300 - Institutional and Public Use (IPU)
22E03AC03800 - Institutional and Public Use (IPU)
22E03B 01300 - Institutional and Public Use (IPU)
22E03B 00400 - Institutional and Public Use (IPU)
22E03B 00500 - Institutional and Public Use (IPU)
22E03DB00610 - Institutional and Public Use (IPU)

Section 3. The City Council adopts the subject annexation application (ANN-01-12/LDC-01-12/CPA-01-12) and the associated Staff Report to the City Council dated March 20, 2012.

Section 4. The territory described in Exhibit A, and depicted in Exhibit B is hereby annexed to the North Clackamas Parks and Recreation District and is withdrawn from the Clackamas County Enhanced Law Enforcement District effective March 20, 2012.

Section 5. As a condition for the annexation of each property in the territory described in Exhibit A and depicted in Exhibit B, the property owners, on behalf of themselves, their heirs, successors and assigns, waive their right(s) of remonstrance against the creation of any Local Improvement District created consistent with ORS Chapter 223 and/or Happy Valley Municipal Code Chapter 3.12 for a period of 10 years from the effective date of the annexation.

Section 6. The City Recorder is directed to:

1. File a copy of this ordinance and the statements of consent to annexation consistent with ORS 222.180 with the Secretary of State and Department of Revenue;
2. Mail a copy of this ordinance to Metro including the required fee consistent with Metro Code Chapter 3.09.030(e); and
3. Mail a copy of this ordinance to Clackamas County and any other necessary parties consistent with Metro Code Chapter 3.09.030(e).

Section 7. An emergency is declared to exist and as provided by Section 17 of the Happy Valley City Charter this ordinance takes effect on March 20, 2012.

COUNCIL APPROVAL AND UNANIMOUS ADOPTION AT ONE MEETING: [March 20, 2012]

Lori DeRemer
Mayor

Adoption and date attested by:

Marylee Walden
City Recorder

CITY OF HAPPY VALLEY
16000 SE MISTY DRIVE
HAPPY VALLEY, OREGON 97086



DEPT OF

MAR 26 2012

LAND CONSERVATION
AND DEVELOPMENT

Plan Amendment Specialist – Angela Houck
Dept. of Land Conservation & Development
635 Capital Street NE, Suite 150
Salem, OR 97301-2540

