



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Coastal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>

NOTICE OF ADOPTED AMENDMENT



April 19, 2006

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Dallas Plan Amendment
DLCD File Number 002-05

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office. This adoption was adopted by the City on January 4, 2006, and passed the 21-day appeal period from the date of the adoption. This amendment was submitted without a signed ordinance.

Appeal Procedures*

DLCD DEADLINE TO APPEAL: Acknowledged under ORS 197.625 and ORS 197.830 (9)

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.625 if no notice of intent to appeal is filed within the 21-day period set out in ORS 197.830 (9), the amendment to the acknowledged comprehensive plan or land use regulation or the new land use regulation shall be considered acknowledged upon the expiration of the 21-day period.

Under ORS 197.830 (9) a notice of intent to appeal a land use decision or limited land use decision shall be filed not later than 21 days after the date the decision sought to be reviewed becomes final.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS ADOPTED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Jason Locke, DLCD Regional Representative
Jerry Wyatt, City of Keizer

<paa> ya/ph/email

2 Notice of Adoption

THIS FORM **MUST BE MAILED** TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

DEPT OF
APR 17 2006
LAND CONSERVATION
AND DEVELOPMENT
For DLCD Use Only

Jurisdiction: City of Dallas Local file number: COMP-1-05
Date of Adoption: 1/4/2006 Date Mailed: 3/30/06
Date original Notice of Proposed Amendment was mailed to DLCD: 9/20/05

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other: _____

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

This request is for an Urban Growth Boundary Expansion/Comprehensive Plan
Amendment/Annexation.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME".
If you did not give Notice for the Proposed Amendment, write "N/A".

Same

Plan Map ~~Changed~~ from: Residential to: Residential
Zone Map Changed from: SR-Suburban Residential to: RS-Residential Single Family
Location: TL 7.5.32CA 900 and TL 7.5.32C 303 Acres Involved: .75
Specify Density: Previous: na New: _____
Applicable Statewide Planning Goals: 1, 2, 14
Was an Exception Adopted? YES NO

DLCD File No.: 002-05
(14694)

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

Forty-five (45) 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

Affected State or Federal Agencies, Local Governments or Special Districts:

City of Dallas and Polk County

Local Contact: Jerry Wyatt Phone: (503) 831-3565 Extension:

Address: 187 SE Court Street City: Dallas

Zip Code + 4: 97338 - Email Address: jerry.wyatt@ci.dallas.or.us

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:

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

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.

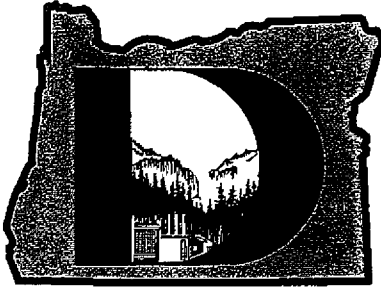
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.

4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.

5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.

6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.

7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.



City of Dallas

Office of the City Manager

February 6, 2006

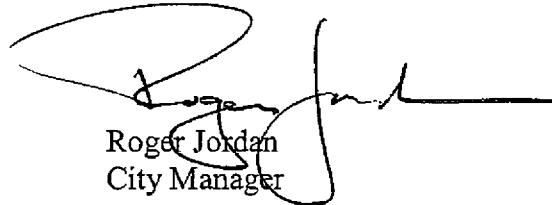
Office of the Secretary of State
Official Documents
800 Summer St. NE
Salem, OR 97301

Enclosed please find a certified true copy of Ordinance No. 1658 together with copies of the Consent to Annexation form and map for property located in Polk County that is being annexed into the City of Dallas. As specified in ORS 222.040, the effective date of the annexation is January 4, 2006.

Please confirm the filing of this Ordinance by informing us of the annexation filing number.

If you have any questions or if we can provide any additional information, please give me a call.

Very truly yours,



Roger Jordan
City Manager

RJ:meh

Enclosures

cc: ✓ Jerry Wyatt, Community Development Director
Fred Braun, Public Works Director

ORDINANCE NO. 1658

An Ordinance amending the Urban Growth Boundary and Comprehensive Plan Map by including therein real property owned by the Regent Trust and real property owned by Raymond Dickey and Sonya Dickey, declaring said real properties annexed to the City of Dallas and withdrawn from the Southwestern Polk County Rural Fire Protection District.

WHEREAS, the Regent Trust, owner of the real property described as Parcel 1 on Exhibit A hereto, and Raymond Dickey and Sonya Dickey, owners of the real property described as Parcel 2 on Exhibit A hereto (hereinafter the "Properties"), each filed applications with the City to amend the Urban Growth Boundary and Comprehensive Plan Map to include the Properties, to annex the Properties into the City, and to withdraw the Properties from the Southwestern Polk County Rural Fire Protection District (hereinafter the "Fire District"); and

WHEREAS, 100% of the owners and 100% of the resident electors, if any, of the Properties have consented, in writing, to the annexation of the Properties to the City of Dallas and a statement of their consent has been filed with the City Council; and

WHEREAS, after due notice and public hearing held on September 13, 2005, the Planning Commission recommended to the City Council that the applications to amend the City's Urban Growth Boundary and Comprehensive Plan Map to include the Properties be approved and that the Properties be annexed into the City and withdrawn from the Fire District; and

WHEREAS, after due notice and public hearing held on November 7, 2005, by motion duly made and passed, the City Council found that the application to amend the City's Urban Growth Boundary and Comprehensive Plan Map to include the Properties, the annexation application, and the application to withdraw the Properties from the Fire District should be approved; and

WHEREAS, if Parcel 2 on Exhibit A is not included herein, it would become an "island" surrounded by the Urban Growth Boundary and/or the City limits; NOW, THEREFORE,

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. The City's Urban Growth Boundary is hereby amended by including the Properties therein.

Section 2. The City's Comprehensive Plan map is hereby amended by including the Properties therein.

Section 3. That the Properties be and the same is hereby declared to be duly annexed to the City of Dallas, Polk County, Oregon.

Section 4. The Community Development Team's staff reports dated September 13, 2005 and November 7, 2005, and Owner's land use application and its Supplemental Application,

EXHIBIT A

Parcel 1:

Beginning at a 2 inch iron pipe at the Northwest corner of City View Addition in the City of Dallas, Polk County, Oregon, said iron pipe also being the initial point for Maple Street Subdivision and running thence South $89^{\circ} 49' 00''$ East 300 feet to the Northeast corner of Lot 3, Block 1, of City View Addition; thence North $00^{\circ} 03' 30''$ West 135.35 feet to the Northwest corner of the tract of land recorded in Volume 209, Page 534, Book of Records for Polk County, Oregon; thence South $89^{\circ} 49' 30''$ East 140.00 feet to the Northeast corner of last said deed and the true point of beginning; thence North $0^{\circ} 03' 30''$ West 60 feet to a point; thence South $89^{\circ} 49' 30''$ East 60 feet to a point; thence North $0^{\circ} 03' 30''$ East 301.65 feet to a point; said point being South $88^{\circ} 29' 00''$ West 351.04 feet from the Southeast corner of a tract of land recorded in Volume 182, Page 385, Book of Records for Polk County, Oregon; thence North $88^{\circ} 29' 00''$ East a distance of 351.04 feet to the said Southeast corner; thence South $0^{\circ} 03' 30''$ East 361.65 feet to an iron pipe at the Northeast corner of that tract of land recorded in Volume 189, Page 473, Book of Records for Polk County, Oregon; thence North $89^{\circ} 49' 30''$ West 351.04 feet to the iron pipe at the Northwest corner of that tract of land recorded in Volume 205, Page 459, Book of Records for Polk County, Oregon; thence South $0^{\circ} 03' 30''$ East 195.35 feet to the North line of Maple Street; thence along said North line North $89^{\circ} 49' 30''$ West 60.00 feet; thence North $0^{\circ} 03' 30''$ West 195.35 feet to the true point of beginning.

Parcel 2:

Beginning at the Southwest corner of Lot Numbered Six (6), Block Numbered One (1), City View Addition to Dallas, Polk County, Oregon; running thence East 110.0 feet; thence North 194.06 feet to the North line of that certain tract of land conveyed to O.C. Miller, et ux by deed recorded March 7, 1945 in volume 115, Page 537, Deed Records for Polk County, Oregon; thence West 110.0 feet; thence South 194.06 feet to the place of beginning.

All of the real property as described in Exhibit A, save and except those portions of the above described property lying within the corporate city limits as established under Ordinance 709, adopted June 17, 1957.

CITY OF DALLAS
Date: December, 2005

1 inch equals 100 feet

