



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/Costal Fax: (503) 378-6033

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

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

NOTICE OF ADOPTED AMENDMENT

March 31, 2006

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Happy Valley Plan Amendment
DLCD File Number 009-05R



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.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: April 11, 2006

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.625 (1), 197.830 (2), and 197.830 (9) 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 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.**

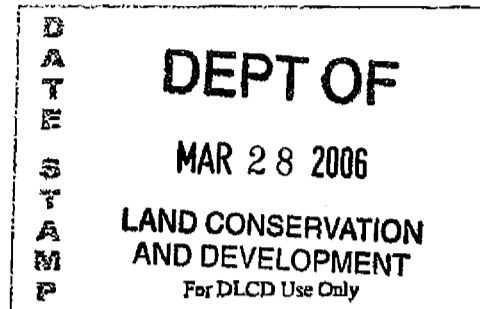
Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Meg Fernekees, DLCD Regional Representative
Lynette Garbarino, City of Happy Valley

<paa> ya



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**



Jurisdiction: City of Happy valley Local file number ANN-04-05, LUBA File No. 2005-125
 Date of Adoption: 3/21/06 Date Mailed: 3/28/06
 Date original Notice of Proposed Amendment was mailed to DLCD: 2/9/06

- | | |
|------------------------------------------------------------|--------------------------------------------------------------|
| <input type="checkbox"/> Comprehensive Plan Text Amendment | <input type="checkbox"/> Comprehensive Plan Map Amendment |
| <input type="checkbox"/> Land Use Regulation Amendment | <input type="checkbox"/> Zoning Map Amendment |
| <input type="checkbox"/> New Land Use Regulation | <input checked="" type="checkbox"/> Other: <u>annexation</u> |

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

annexation of 17 parcels; original annexation was 20 properties,
~~however, LUBA remand required that three tax lots be removed~~
~~from the this annexation~~
Those removed are as follows:
13E31D Tax Lot 01501 and 1801 and 23E06DB Tax Lot 1300

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".

Plan Map Changed from: n/a to: _____
 Zone Map Changed from: n/a to: _____
 Location: City of Happy Valley Acres Involved: removed 19.78 acres
 Specify Density: Previous: n/a New: _____
 Applicable Statewide Planning Goals: 1, 2, 9, 10 and 11
 Was and Exception Adopted? YES NO

DLCD File No.: 009-05R(14481)

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:

Clackams County, City of Damascus, City of Happy Valley, METRO

Local Contact: Lynette Garbarino Phone: (503) 760-3325 Extension: _____

Address: 12915 SE King Road City: Happy Valley

Zip Code + 4: 97236-6298 Email Address: lynetteg@ci.happy-valley.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.

Mayor
HON. EUGENE GRANT

City Councilors
CHUCK DALICH
LORI DEREMER
JONATHAN EDWARDS
ROB WHEELER



City of Happy Valley

12915 SE KING ROAD, HAPPY VALLEY, OREGON 97236-6298
Telephone (503) 760-3325 - Fax (503) 760-9397
Web Site: www.ci.happy-valley.or.us

Fax Transmission

To: *Mara Ullae* From: *Lynette, Planning Dept*
DHCO

Fax: *503-378-5518* Pages: (excluding cover)

Phone: Date: *503-760-3325*
3/28/06

Re: *ANN-04-05* CC:

- Urgent
- For Review
- Please Comment
- Please Reply
- Please Recycle

*As per your email of 3/28/06,
please find attached "Notice of
Adaption" (Form 2) on the remand
from LLBA (2005-125) for the
City File No ANN-04-05*

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March 23, 2006

File No .ANN-04-05
LUBA File No. 2005-125

NOTICE OF EXPEDITED DECISION

This is official notice of action taken by the Happy of Valley City Council pursuant to Metro Code 3.09.045 with regard to applications for annexation to the City of Happy Valley. The subject properties are listed on the attached form. This hearing was a result of a remand from Land Use Board of Appeals for City of Happy Valley File No. ANN-04-05.

The City Council formally approved the subject applications/petitions based upon findings included within the Staff Report dated March 21, 2006, 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.



Jason Tuck, Community Development Director

cc: Petitioners
Interested Parties
Necessary Parties
File
LUBA File No. 2005-125

Our Mission is **Our Community**
Working with You to Preserve, Serve, and Enrich

ORDINANCE NO. 333
CITY OF HAPPY VALLEY

AN ORDINANCE ANNEXING TERRITORY INTO THE CITY OF HAPPY VALLEY, OREGON, WITHDRAWING SAID TERRITORY FROM THE CLACKAMAS COUNTY ENHANCED LAW ENFORCEMENT DISTRICT AND DECLARING AN EMERGENCY

WHEREAS, pursuant to ORS 222.125 the City of Happy Valley received petitions signed by 100% of the owners of 100% of the properties with 100% of the assessed value of territory requesting annexation (File No. ANN-04-05); and

WHEREAS, the proposed annexation territory consists of 17 tax lots totaling 97.34 acres adjacent to existing City boundaries; and

WHEREAS, the City provided notice that the Planning Commission and City Council would consider the annexation petitions, consistent with the applicable notice requirements of (1) applicable provisions of Metro Code Chapter 3.09, (2) Section 2(d) of the Urban Growth Management Agreement dated June 19, 2001, 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, the Planning Commission considered the proposed annexation at its regularly scheduled meeting of August 9, 2005, and recommended that the City Council approve the annexation; and

WHEREAS, the City Council considered the proposed annexation at its regularly scheduled City Council meeting on March 21, 2006 under the applicable provisions of Chapter 3.09 of the Metro Code, the Happy Valley Comprehensive Plan, and the applicable Statewide Planning Goals and state laws; and

WHEREAS, the Council finds that the proposed annexation is consistent with the City's Urban Growth Management Agreement and the approval of the voters and the consents of affected property owners; and

WHEREAS, the Council deems it in the public interest to declare an emergency so that this ordinance take effect as specified below, prior to the expiration of the 30-day period specified in the City Charter, because regional planning for the affected property is underway and the jurisdiction over the affected property should be established as soon as possible to facilitate the regional planning effort, as required by Metro.

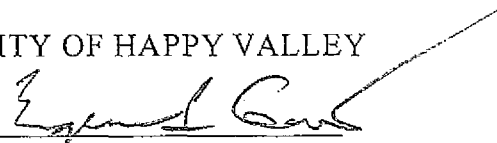
Now, therefore, based on the foregoing,

THE CITY OF HAPPY VALLEY ORDAINS AS FOLLOWS:

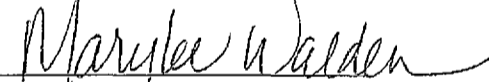
- Section 1. The City Council declares the territory described in Exhibit B, and depicted in Exhibit A is annexed to Happy Valley effective March 21, 2006.
- Section 2. The City Council adopts the Annexation Application No. ANN-04-05 and the associated Staff Report to the City Council dated March 21, 2006, as its findings in support of this ordinance.
- Section 3. The annexed territory is hereby withdrawn from the Clackamas County Enhanced Law Enforcement District effective March 21, 2006.
- Section 4. 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 5. An emergency is declared to exist and as provided by Section 32 of the Happy Valley City Charter this Ordinance takes effect on March 21, 2006.

PASSED AND APPROVED THIS 21st day of March, 2006

CITY OF HAPPY VALLEY


Mayor Eugene L. Grant

ATTEST:

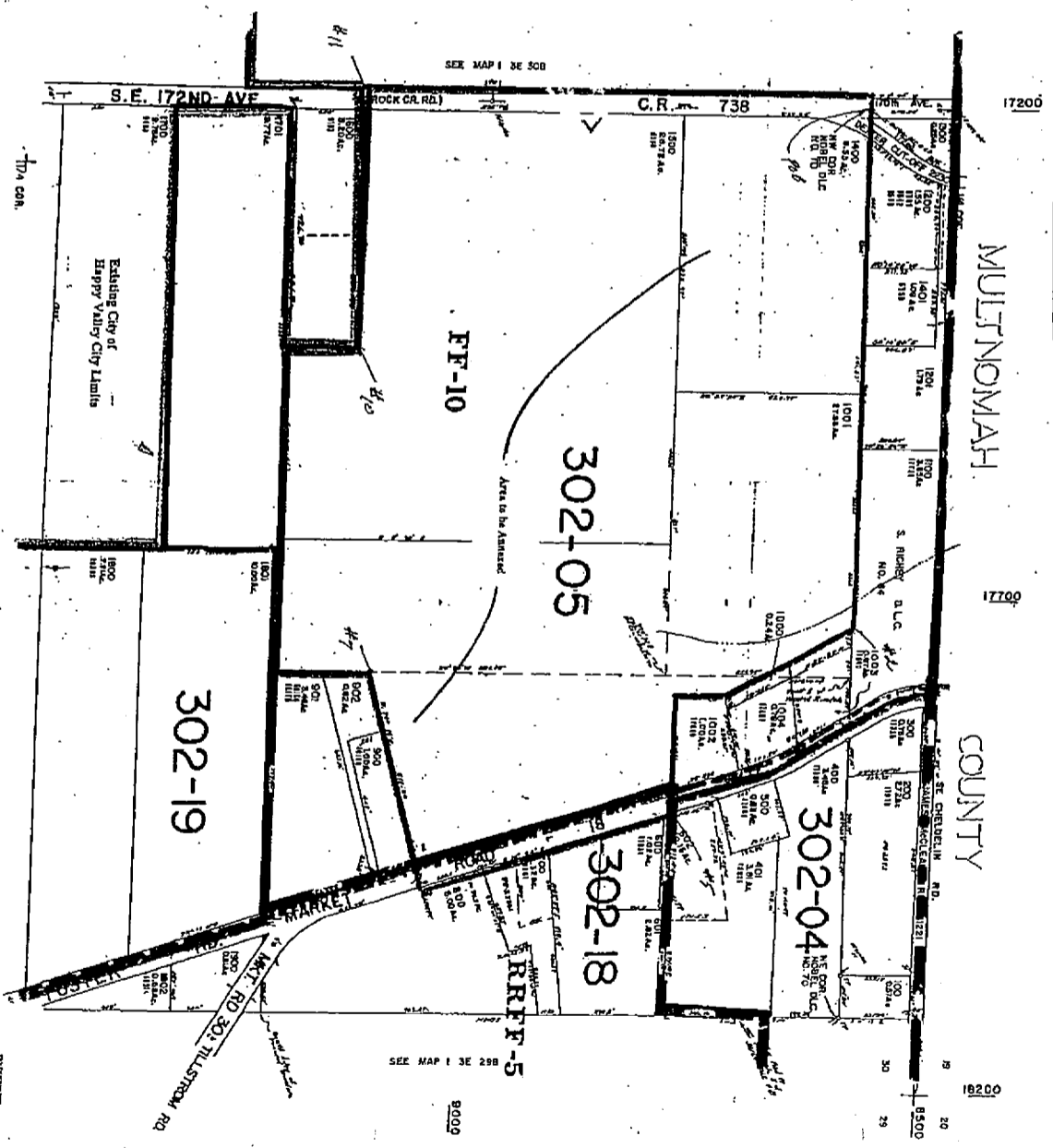

Marylee Walden, City Recorder

This map was prepared for assessment purposes only.

NE 1/4 SEC 30 T 1 S, R 3 E, W 4 M,
CLACKAMAS COUNTY
1"=200'

D.L.C.'S
S. RICHEY NO. 64
M. W. NOBEL NO. 70

1 3E 30A



SEE MAP 1 3E 30B

SEE MAP 1 3E 29B

9009

SEE MAP 1 3E 30B

MAPS 0 & 20MS

EXHIBIT A
1 3E 30A,

TRA. con.

Existing City of
Happy Valley City Limits

FF-10

302-05

302-19

302-18

302-04

RRFF-5

MULTNOMAH

COUNTY

CLACKAMAS COUNTY

1" = 200'

1 3E 30C

This map was prepared for assessment purposes only.

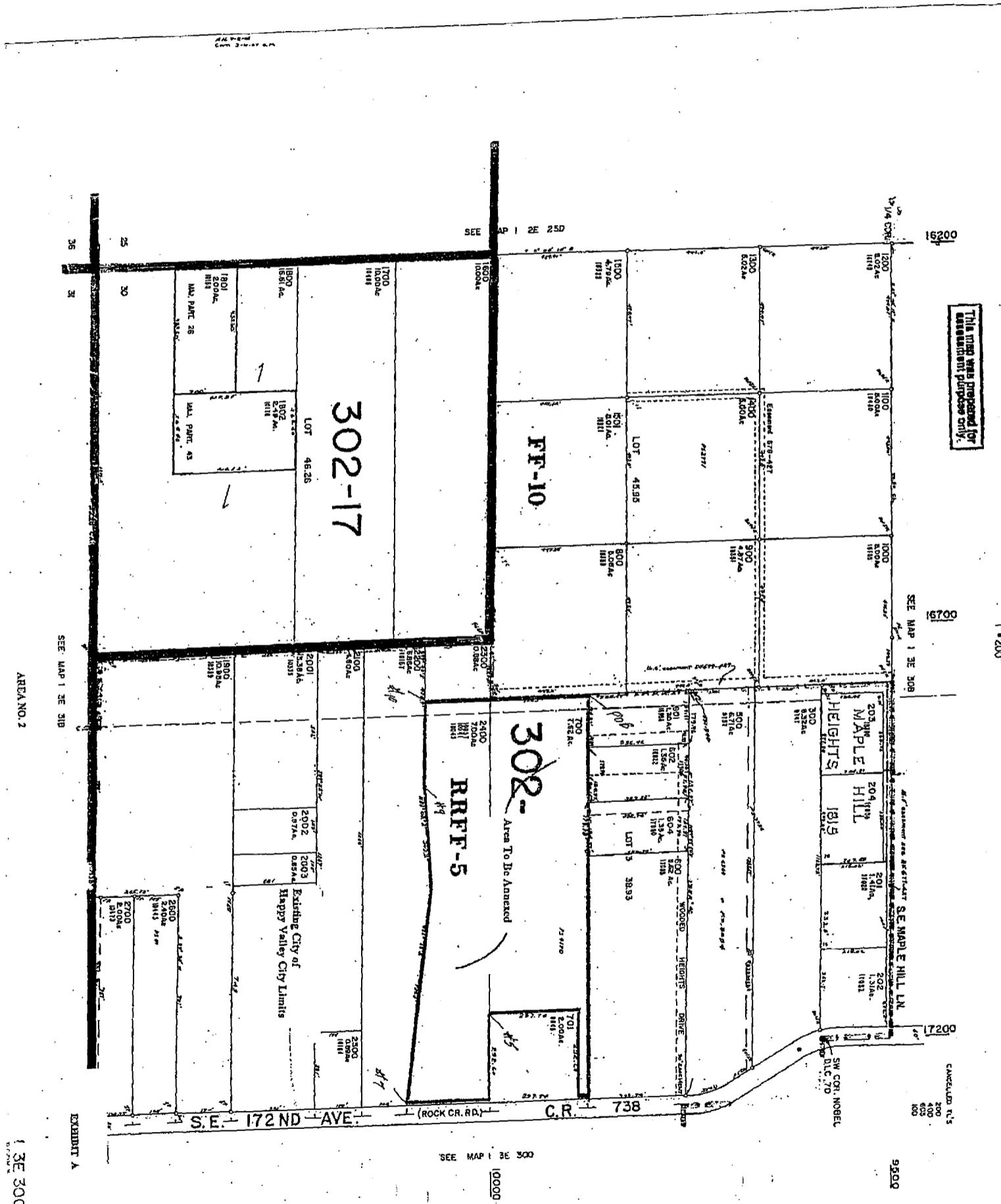


EXHIBIT #

AREA NO. 2

1 3E 30C

EXHIBIT A

SEE MAP 1 3E 300

CANCELLED T.L.S.
200
400
600
800
9200

This map was prepared for assessment purposes only.

CLACKAMAS COUNTY
P-200'

1 3E 31A

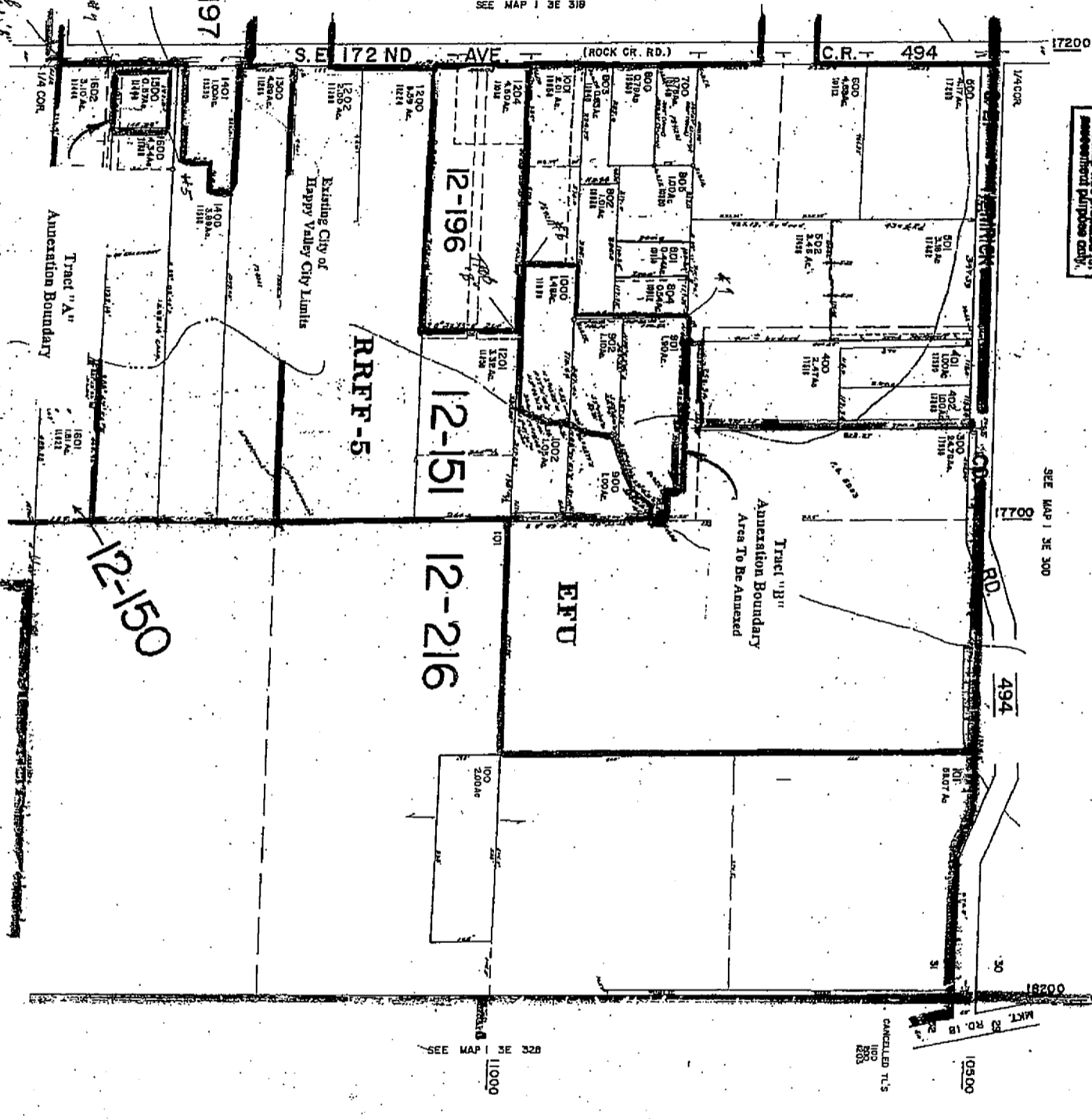
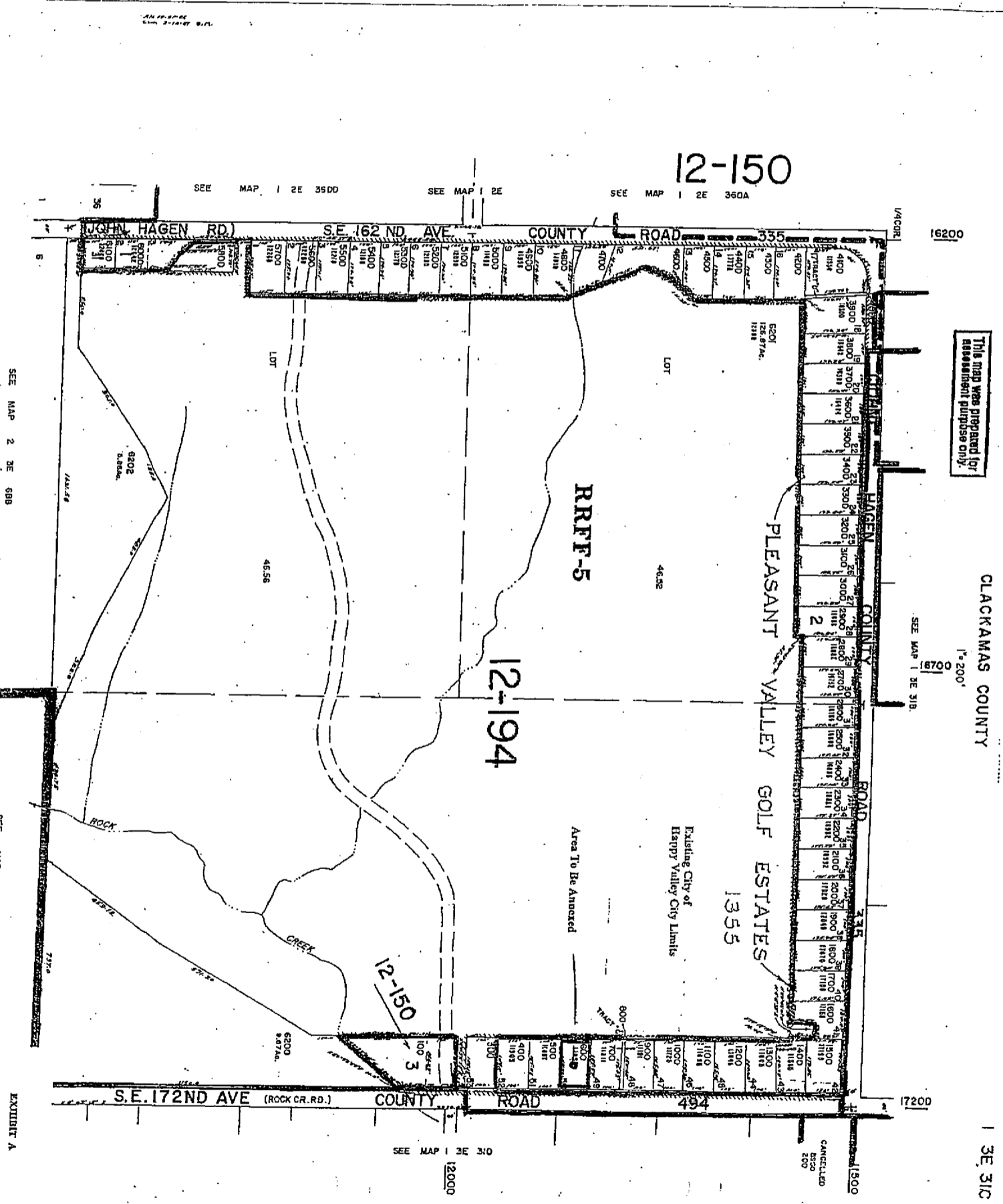


EXHIBIT # A

EXHIBIT A

EXHIBIT # *A*



This map was prepared for assessment purposes only.

CLACKAMAS COUNTY

1" = 200'
16700

1 3E 31C

12-150

12-194

RRFF-5

PLEASANT VALLEY GOLF ESTATES

1355

Existing City of Happy Valley City Limits

Area To Be Annexed

S.E. 172ND AVE (ROCK CR. RD.)

JOHN HAGEN RD.

S.E. 162ND AVE

COUNTY ROAD

SEE MAP 2 3E 68B

AREA NO. 4

SEE MAP 2 3E 68A

EXHIBIT A

1 3E 31C

SEE MAP 1 2E 310

CANCELLED
5220
200

CLACKAMAS COUNTY

1" = 200'

2 3E 6B
A INDEX

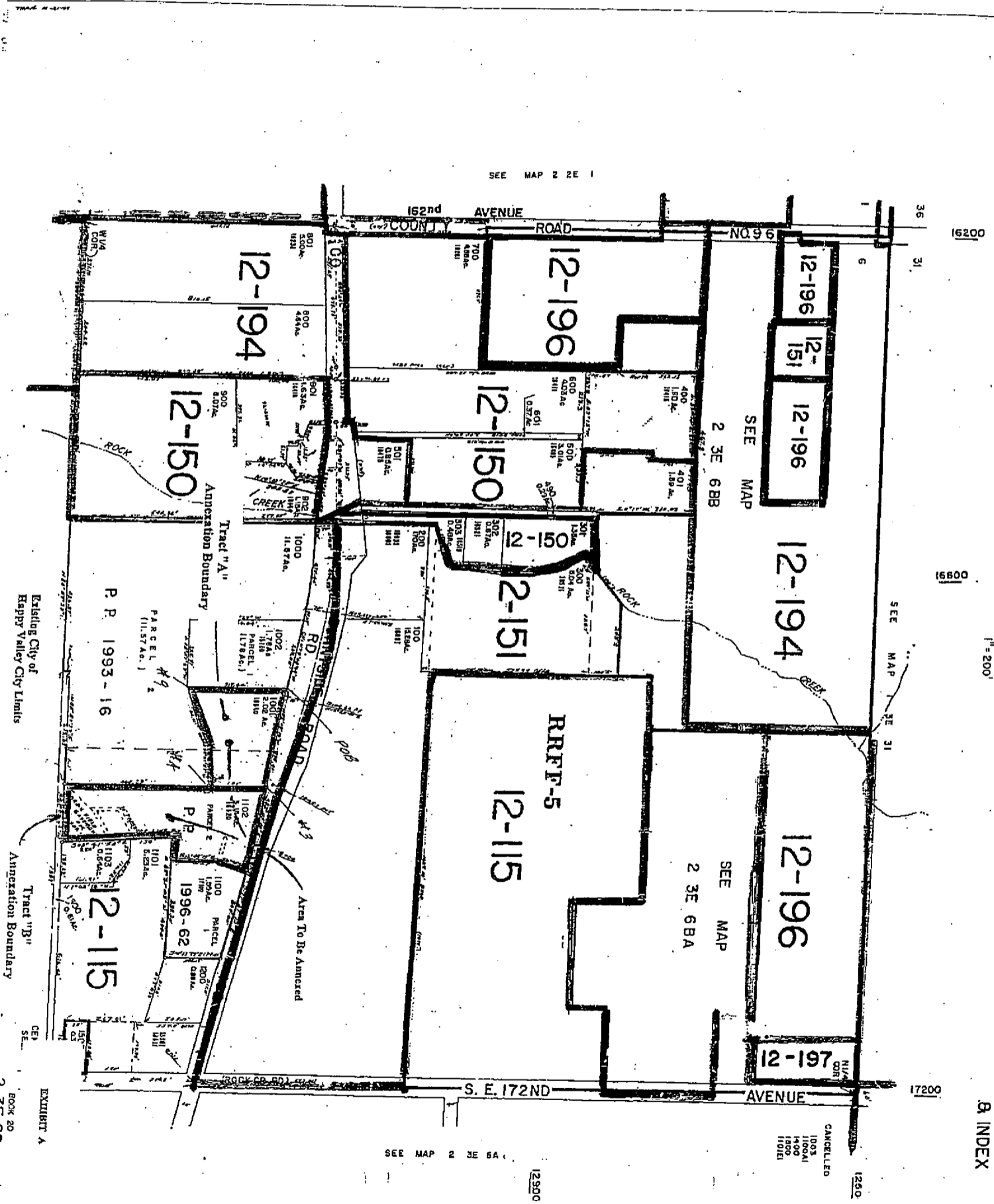


EXHIBIT # A

EXHIBIT A
BOOK 20
PAGE 6B

Mayor
HON. EUGENE GRANT

City Councilors
CHUCK DALICH
LORI DEREMER
MARKLEY DRAKE
ROB WHEELER



City of Happy Valley

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**CITY OF HAPPY VALLEY
STAFF REPORT TO THE CITY COUNCIL
March 21, 2006**

City of Damascus vs. City of Happy Valley
Luba No. 2005-125
Remand of ANN-04-05

This decision involved Damascus's appeal to the Land Use Board of Appeals of Happy Valley Ordinance 315. The Board addressed which city initiated annexation proceedings first.

The Board rejected Happy Valley's contention that either the City Urban Growth Management Agreement or City voter approval to annex was an initiation of an annexation. The Board concluded that for an annexation to be "initiated" it must be possible to determine exactly which properties are subject to the proceedings. A final decision must result "in a reasonably short and knowable period of time." The Board left the question unanswered of whether the receipt of an annexation petition constituted an "initiation." It determined that Damascus had initiated annexation proceedings before Happy Valley, and concluded that Ordinance 315 was invalid.

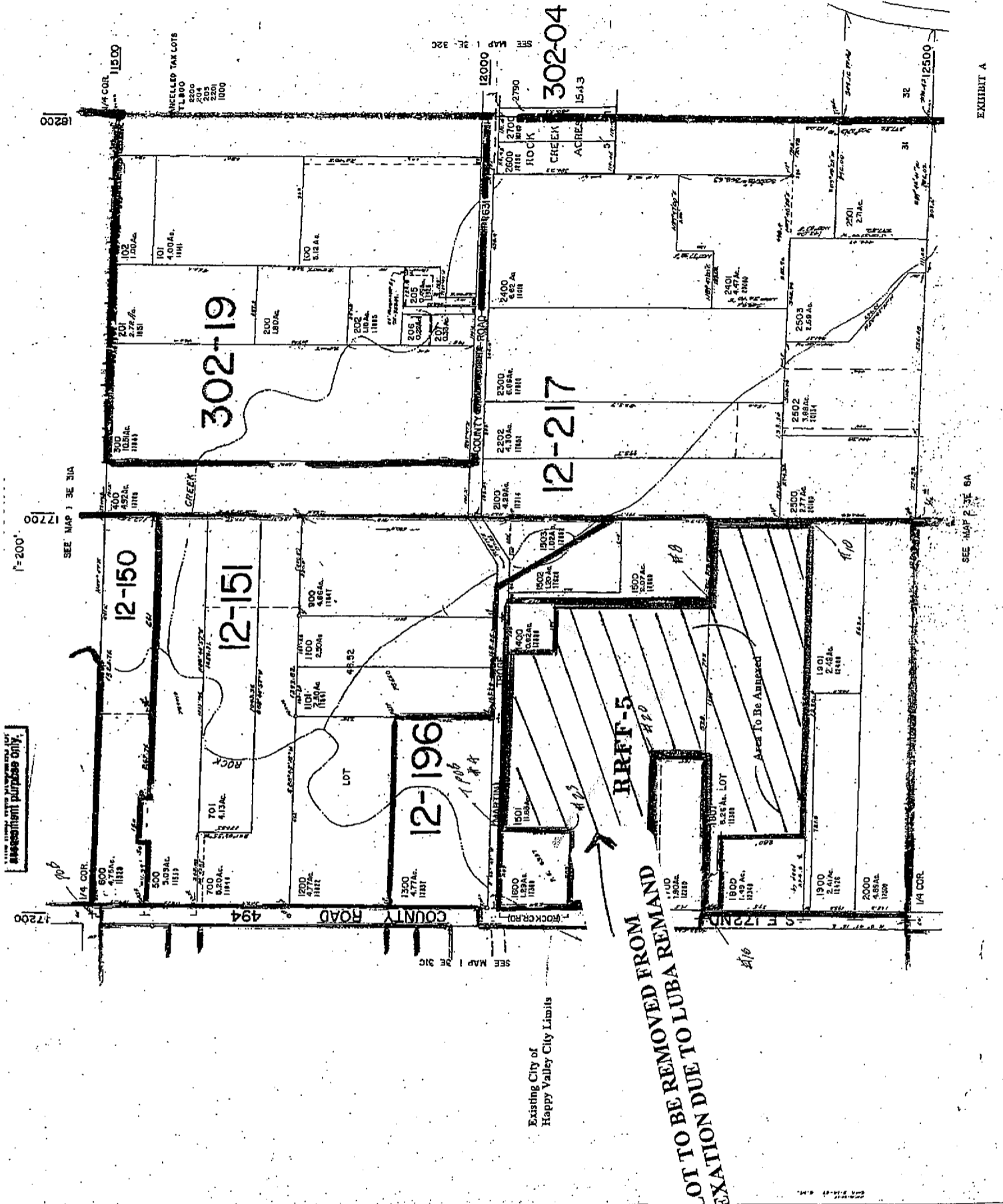
Ordinance 315 was remanded back to Happy Valley with a recommendation to amend the ordinance or adopt a substitute ordinance excluding the three lots included in Damascus's annexation.

The attached Ordinance 333 excludes those three lots included in Happy Valley's annexation ANN-04-05.

Exhibits attached:

- A. Ordinance for ANN-04-05
- B. Map of three properties to be removed from ANN-04-05
- C. Spreadsheet of properties to be removed from ANN-04-05

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THIS MAP IS FOR INFORMATION ONLY. Assessment purposes only.

1"=200'

SEE MAP 1 BE 31A

SEE MAP 1 BE 31C

Existing City of Happy Valley City Limits

TAX LOT TO BE REMOVED FROM ANNUAL TAXATION DUE TO LUBA REMAND

RRFF-5

SEE MAP 2 BE 8A

AREA NO. 5

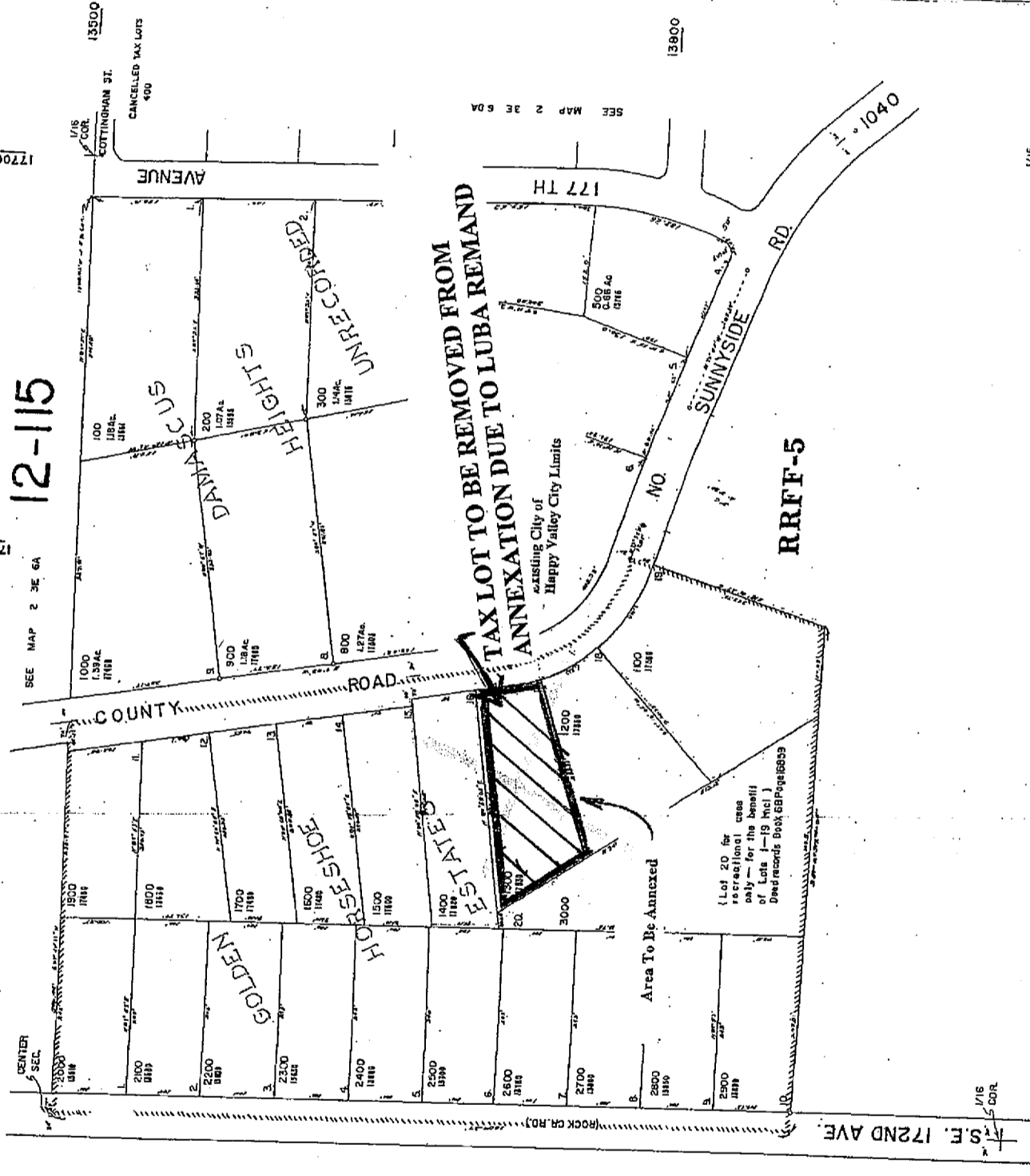
EXHIBIT A

3E 31D

EXHIBIT # B

CLACKAMAS COUNTY
1"=4100

2 3E 6DB



SEE MAP 2 3E 6

EXHIBIT # B

SEE MAP 2 3E 6D

EXHIBIT A

APPX NO 9

REIMAND UP ANN-04-05
 TAX LOTS TO BE REMOVED
 PER LUBA REMAND

Assessor Map/Tax Lot	Property owner	Site Address	Mailing Address	Acreage
13E31D 01501	Guernsey, Garrold & Sally	12300 SE 172nd	14674 SE Sunnyside Rd, Clackams, OR	10.63
13E31D 01801	Guernsey, Garrold & Sally	12300 SE 172nd	same	8.41
23E06DB01300	Achatz, Mary & Tom	17530 SE Sunnyside Rd.	same	0.74

Exhibit # C

Mayor
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City of Happy Valley

12915 SE KING ROAD, HAPPY VALLEY, OREGON 97236-6298

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**CITY OF HAPPY VALLEY
STAFF REPORT TO THE CITY COUNCIL
March 21, 2006**

ANNEXATION APPLICATION (File No. ANN-04-05)

I. GENERAL INFORMATION

PROPOSAL:

The applicant seeks approval of annexation (No. 04-2005) of 17 parcels of land totaling approximately 97.34 acres in size.

APPLICANT:

City of Happy Valley
12915 SE King Road
Happy Valley, OR 97236

PROPERTY OWNERS:

See Attached List – Exhibit D

APPLICABLE CRITERIA:

Applicable Objectives and Policies from the City of Happy Valley Comprehensive Plan; Title 16 (Development Code) of the City of Happy Valley Municipal Code, including Sections 16.40.020, 16.40.030, 16.40.040, 16.40.041, 16.40.060, 16.40.070, 16.40.100 (annexation to an existing city), Metro Code 3.09.045, and ORS 222.111, and 222.125.

BACKGROUND:

The City of Happy Valley mailed the petitions for annexation to property owners and has received signed petitions from 17 property owners.

GENERAL DISCUSSION:

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Annexation Proposal No. 04-05 was initiated by petitions signed by the owners of 100% of the property owners that represent 100% of the assessed value, and that represent 80% of the electors within the area being annexed. The petitions meet the requirements of Metro Ordinance No. 98-791, Chapter 3.09.045 and ORS 222.125. If the City Council approves the proposal, the boundary change will become effective on March 21, 2006.

The territory to be annexed is situated in 6 different locations adjacent to the existing City limits, as noted on Exhibit "A" attached. The legal descriptions for each of the 6 areas are attached as Exhibit "B". The annexation application data forms for the area are attached as Exhibit "C".

A scribner's error resulted in Tax Lot 13E30A 01101 being left off of Exhibits A, B and D in the Staff Report to the Planning Commission. The attached exhibits now include that tax lot. The tax lot is under the same ownership as Tax Lots 13E30A 1400 and 1500 and petitions were received on all three properties.

The proposed annexation incorporates 17 separate tax lots consisting of 97.34 acres adjacent to the existing city limits of the City of Happy Valley.

The desire to obtain city services in these areas had prompted the annexation requests. This staff report outlines each of the six (6) areas as to its specific configuration, i.e. existing land uses, population, assessed value, vacant lands and other criteria for approval of boundary changes. (see attached Exhibit "B")

Area "1" consists of three contiguous tax lots under the same ownership. All three properties are on the east side of SE 172nd Avenue approximately 300 feet south of the Clackamas County/Multnomah County line. All three tax lots are located on county assessor's map 13E30A.

Area "2" consists of two contiguous tax lots under the same ownership. Both are located on the west side of SE 172nd Avenue approximately 1100 feet south of SE Maple Hill Lane. Both tax lots are located on county assessor's map 13E30C.

Area "3" consists of four tax lots located on the east side of SE 172nd Avenue approximately 1000 feet and 2300 feet south of SE Hemrick Road. All four tax lots located on County assessor's Map 13E31A.

Area "4" consists of one tax lot located in the Pleasant Valley Golf Estates. This tax lot is located on county assessor's map 12E31C.

Area "6" consists of two contiguous tax lots under the same ownership. Both are located on the south side of Sunnyside Road approximately 900 feet west of SE 172nd Avenue. Both tax lots are located on county assessor's map 23E06B.

Area "7" consists of five contiguous tax lots under multiple ownership in the Turel Estates subdivision, which is located on the west side of SE 172nd Avenue at Tristin Avenue. All of the five tax lots are located on county assessor's map 23E06BA.

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

This proposed annexation complies with the present agreements the City has with the various urban service providers. Following the annexation approval, the property owners must annex their specific parcels to Service District No.1 for sanitary sewer service. Not all of the six (6) areas are within the boundaries of the other service providers, i.e. water, fire, streetlights, etc. In addition, all six (6) areas are directly adjacent to the city limits of the City of Happy Valley and are within the designated dual interest area of the City of Happy Valley and Clackamas County Urban Growth Management Agreement (UGMA). All six (6) areas associated with this annexation are consistent with the provisions of the UGMA.

Clackamas County Service District No. 1 will be the provider of sanitary and storm water services. Prior to obtaining sanitary and storm water services, the district must conduct a study to determine how the area will ultimately be served, i.e. size and location of lines and any necessary pump stations (for sanitary only), drainage basins and etc. These studies will be coordinated with the Damascus-Boring Concept Planning process currently being conducted by Clackamas County, the City of Happy Valley and other affected agencies.

Both the planning and public facilities provisions are contained within the City of Happy Valley/Clackamas County UGMA. None of the six (6) areas being considered for annexation are subject to any additional agreements between the City and other agencies that would affect planning or urban services to these areas. Due to boundary annexation procedure changes, all six (6) areas will require annexation into Clackamas County Service District No.1 for sanitary sewer service as well as Service District No. 5 for street lighting.

All six (6) areas are adjacent to the Happy Valley City limits and lie within the Urban Growth Boundary. Happy Valley Comprehensive Plan Policies 3 through 8 address urbanization of lands from rural to urban uses. All annexation areas (one application) satisfy the applicable provisions of these policies by providing land for urban development that can be adequately served with Level 1 services and facilities.

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

The Metro Urban Growth Management Functional Plan 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 twenty (20) years. The approval of this annexation request will contribute land toward future urban-level uses at the densities specified in the functional plan.

The proposed boundary change will result in the withdrawal of some tax lots from the Enhanced Law Enforcement District. No other withdrawals from the urban service providers are proposed.

The newly annexed areas will be covered by the cities contract with the Clackamas County Sheriff's Department.

Any proposed development within the six (6) areas proposed for annexation will comply with all the applicable regional, County and City plans. The Clackamas County Comprehensive Plan designates the six (6) areas as FF-10 and RRFF-5. The City of Happy Valley Comprehensive Plan was prepared to cover only the territory within the City limits when the plan was adopted. The Comprehensive Plan does not provide for zoning designations on land outside the City limits. For lands outside of the City, the County's plan is the applicable plan. ORS 215.130 provides that County land use and zoning ordinances shall apply to the boundaries of a City, unless or until the City has by ordinance or other provisions provided otherwise.

Because the properties proposed for annexation are within the newly expanded UGB area, the City is unable to apply City zoning designations prior to the completion of the Damascus-Boring Concept Planning Process. Upon completion of the concept planning, the City will begin the process of applying urban level zoning designations for the properties proposed for annexation.

FINDINGS

Regional Land Use Requirement

Metro Code 3.09.045 – Expedited Decisions

(a) Approving entities may establish an expedited decision process that does not require a public hearing consistent with this section. Expedited decisions are not subject to the requirements of Sections 3.09.030 (b) and 3.09.050(a), (b), (c), (e) or (f). The expedited decision process may only be utilized for minor boundary changes where the petition initiating the minor boundary change is accompanied by the written consent of one hundred percent (100%) of the property owners and at least fifty percent (50%) of the electors, if any, within the affected territory.

Response:

The City of Happy Valley established an expedited decision process through the adoption of Resolution No. 05-13 (Exhibit E). The City has received written consent in the form of petitions from 100% of the property owners and 80% of the electors within the affected territory. The criterion has been met.

(b) The expedited process must provide for a minimum of 20 days notice to all interested parties. The notice shall state that the petition is subject to the expedited process. The expedited process may not be utilized if a necessary party gives written notice of its intent to contest the decision prior to the date of the decision. A necessary party may not contest a minor boundary change where the minor boundary change is explicitly authorized by an urban services agreement adopted pursuant to ORS 195.065.

Response:

The City of Happy Valley provided notice to all interested parties, necessary parties and land owners within 300 feet on February 27, 2006 (see Exhibit F – Affidavit of mailing). The notice stated that the process would be expedited which meets the criterion.

(c) At least seven days prior to the date of decision the approving entity shall make available to the public a brief report that addresses the factors listed in Section 3.09.050(b). The decision record shall demonstrate compliance with the criteria contained in sections 3.09.050 (d) and (g).

Response:

This report, addressing the applicable criteria in Section 3.09.050 was available to the public on Monday, March 7, 2006 which meets the criterion.

Metro Code 3.09.050

Metro Code 3.09.050(d) states that a boundary change proposal shall address the following minimum criteria:

(1) Consistency with directly applicable provisions in an urban service provider agreement or annexation plan adopted pursuant to ORS 195.065;

Response:

The proposed annexation would be consistent with ORS 195.065. As stated above, the parcels would generally remain within service districts already serving the area with the exception of those tax lots being removed from the Enhanced Law Enforcement District. However, the parcels are not currently within a sewer service district and would be required to annex to Clackamas County Service District #1, which provides sewer collection and treatment for Happy Valley. Clackamas County Service District #1 would also provide stormwater services.

When annexed, the parcels would continue to be in the Sunrise Water Authority, which provides water to the parcels. The parcels are not within a street lighting district. When annexed, the parcels would be added to the Clackamas County Service District #5, which would provide street lighting upon development.

The criterion has been met.

(2) Consistency with directly applicable provisions of urban planning or other agreements, other than agreements adopted pursuant to ORS

195.065, between the affected entity and a necessary party;

Response:

The City of Happy Valley has planning jurisdiction for land use and transportation actions within city limits. The proposed annexation is compliant with the Happy Valley Comprehensive Plan and Development Ordinance. The concept planning for the area is being accomplished through the Damascus-Boring Concept Planning Process, which will address land use and transportation issues. See also responses to Goal 10, Goal 12, and Goal 14 below. The specific requirements of the Development Ordinance can and will be met at the time zoning designations are applied and development takes place. The criterion has been met.

(3) Consistency with specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facility plans;

Response:

The Happy Valley Comprehensive Plan and Development Code do not contain applicable standards or criteria for boundary changes. However, the proposed annexation does meet applicable Metro and statewide planning requirements as shown in this report. The criterion has been met.

(4) Consistency with specific directly applicable standards or criteria for boundary changes contained in the Regional Framework Plan or any functional plan;

Response:

The proposed annexation is consistent with the Regional Framework Plan and the Urban Growth Management Functional Plan, which is discussed in the response to Goal 10 and Goal 14, below.

(5) Whether the proposed change will promote or not interfere with the timely, orderly and economic provisions of public facilities and services;

Response:

The proposed annexation would not interfere with the provision of public facilities and services, as all facilities and services will be master planned as part of the Damascus-Boring Concept Planning Process and subsequent comprehensive planning by the City of Happy Valley. Annexation of these areas will actually promote orderly and economic provision of public facilities, as the services will be extended to these areas as development occurs. The criterion has been met.

(6) The territory lies within the Urban Growth Boundary; and

Response:

The subject property is within the existing Metro UGB. The criterion has been met.

(7) Consistency with other applicable criteria for the boundary change question under state and local law.

Response:

The proposed annexation is consistent with applicable state, regional, and local land use laws, as shown in this report. The criterion has been met.

(g) Only territory already within the defined Metro Urban Growth Boundary at the time a petition is complete may be annexed to a city or included in territory proposed for incorporation into a new city. However, cities may annex individual tax lots partially within and without the Urban Growth Boundary.

Response:

The 17 properties which have petitions for annexation are within the existing Metro Urban Growth Boundary. The criterion has been met.

STATEWIDE PLANNING GOALS (DLCD)

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:

The properties being annexed are located within the newly expanded Urban Growth Boundary Area. As a requirement of the Metro Functional Plan, the areas brought into the UGB must be concept planned prior to urban zoning and development. This process is underway and is known as the Damascus-Boring Concept Planning Process. The Happy Valley Comprehensive Plan (1984) established a series of housing goals and policies to implement Goal 10, which was based on a vacant lands analysis and projected housing needs. Based on that analysis, the City established planned land uses through the Comprehensive Plan for a variety of uses including single-family and multi-family designations. As part of the concept planning process, the buildable lands will be inventoried and zoning will be planned to meet the housing needs for the next 20 years. Residential uses will provide for the projected population increases for the 20-year planning period and resulting housing needs within the Happy Valley UGB. The City will be updating its Comprehensive Plan to incorporate the results of the buildable lands inventory.

LCDC acknowledged the Happy Valley Comprehensive Plan, as it provided housing goals, policies and residential densities consistent with Oregon land use goals for housing.

The most applicable policies to the proposed annexation are Policy 42 of the Happy Valley Comprehensive Plan that states: "To increase the supply of housing to allow for population growth and to provide for the housing needs of the citizens of Happy Valley;" and Policy 43: "To develop housing in areas that reinforce and facilitate orderly and compatible community development." The proposed annexation would provide additional land for residential development adjacent to areas that have already developed as residential uses. The annexation would allow development to occur as planned in the Comprehensive Plan. The annexation is compliant with the City's acknowledged Comprehensive Plan and the UGMFP (see Compliance with Regional Goals) and therefore, is consistent with Statewide Land Use Goal 10.

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 (3.09.050(b)(3)) 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.

As stated above, the parcels would generally remain within service areas already serving the area. However, the parcels are not currently within any sewer service area and would be required to annex to Clackamas County Service District #1, which provides sewer collection and treatment for Happy Valley. The Clackamas County Service District #1 would also provide stormwater services.

When annexed, the parcels would continue to be served by the Sunrise Water Authority, which provides water to the parcels. The parcels are not within a street lighting district. When annexed, the parcels would be added to the Clackamas County Service District #5, which would provide street lighting at the time of development.

This annexation proposal is consistent with Goal 11. Extending public services to the annexation area is already anticipated to occur because it is within the existing UGB. Planning for the extension of these services will occur as part of the Concept Planning process. Extension of the public services to the annexation area will occur with development of the area. The application is consistent with Goal 11.

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:

As part of the concept planning process for the new UGB area, transportation

infrastructure needs will be examined for vehicle as well as transit, pedestrian, and bicycle modes of travel. A comprehensive plan will be developed for all modes of travel. The system will be designed to manage the increase in vehicular, pedestrian, transit and bicycle traffic while being safe, convenient and economical. Future site development will include traffic analysis for specific development plans.

The Happy Valley Transportation System Plan (TSP) does not extend to the area proposed for annexation. Upon completion of the concept planning process, the Happy Valley TSP will be updated to include this area. The TSP was adopted in December 1998; it 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).

Future development plans for the annexed areas will include traffic impact analyses. Development plans will include various multi-modal transportation options for residents, blending with surrounding infrastructure. Where necessary, existing transportation system upgrades may be required and would be included in the site plan. Future site development and associated transportation improvements will be in conformance with the adopted Happy Valley TSP, Comprehensive Plan, and Development Ordinance. The application is consistent with Goal 12.

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) 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 area from the current City limits to SE 177th as the new UGB for the city. The properties proposed for annexation are within this identified area. The City is not proposing urban density zoning at this time. Zoning designations will be applied at the conclusion of the concept and comprehensive planning processes. There are four criteria identified in Goal 14 that describe when land can be converted from urbanizable land to urban uses within the UGB. These criteria will be applied when the properties are submitted for urban zoning.

The state has indicated minimum residential density allocation for new construction in Happy Valley to be 6 units to the acre. ORS 660-007-0035, **Minimum Residential Density Allocation for New Construction** indicates "The following standards shall apply to those jurisdictions which provide the opportunity for at least 50 percent of new residential units to be attached single family housing or multiple family housing: (1) The Cities of Cornelius, Durham, Fairview, Happy Valley and Sherwood must provide for an overall density of six or more dwelling units per net buildable acre. These are relatively small cities with some growth potential (i.e. with a regionally coordinated population projection of less than 8,000, persons for the active planning area)."

Happy Valley, as with the region, is expected to increase in population in the coming years, and will need to accommodate additional residential housing units. The proposed annexation would meet Metro's goals for increasing density while accommodating the anticipated future population and housing growth within the existing UGB by providing adequate vacant land for residential development. Residential development within the city limits has occurred rapidly as demand for housing in the area increases, reducing the supply of vacant buildable land within the city limits. As the availability of vacant buildable land decreases, urbanizable land outside of the city limits but within the existing UGB would be annexed to ensure an adequate supply of land for construction. Given the quick pace of development in Happy Valley, additional vacant buildable land, as proposed through this application for annexation, is justified.

The proposed annexation is consistent with Goal 14.
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 17 property owners who own property that is contiguous to the city limits of Happy Valley. The criterion has been met.

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% of the land in the territory to be annexed and 80% of the electors in the territory to be annexed. The recommendation of the planning commission will move forward to the City Council for adoption by ordinance. The criterion has been met.

Happy Valley Development Code

16.40 Amendments to the Comprehensive Plan, Land Use Map and Land Development Title of this Code

16.40.020 Initiation of a plan amendment

Any change in the text, map or implementing ordinance of adopted Happy Valley land use regulations may be initiated by the City, any resident of the city, property owners or authorized agent. ...A change in the map which involves properties and/or district boundaries must be initiated by at least seventy-five (75%) percent of the property owners or authorized agents who own or represent at least seventy-five (75%) percent of the land area involved in the petition for change.

Response:

The City of Happy Valley has initiated this annexation application based on the submittal of petitions by 100% of the property owners who own 100% of the land area.

The criterion has been met.

16.40.040 Public Hearing and Notice

Response:

The City provided notice to the Department of Land Conservation and Development 45 days prior to the first evidentiary hearing. The City also provided mailed notice to all properties within 300 feet of the subject sites and to all affected governmental agencies 20 days prior to the first evidentiary hearing. Notice was also provided pursuant to Oregon State Statute.

The criterion has been met.

16.40.41 Review Criteria

- 1. The proposed amendment is consistent with and promotes the objectives of the plan of the city;**

Objectives:

- 1) To preserve the character of the valley;**
- 2) To improve the quality of existing and future development areas;**
- 3) To provide a coordinated direction to the conservation and**

development of the valley.

Response:

This application is consistent with promoting the objectives of the plan of the City in that by annexing these properties and developing them through the City process, the character of the valley is maintained through enforcement of City ordinances. The quality of the development is maintained through that same avenue. By annexing these properties, they will be developed within the City rather than in the County which will provide for a coordinated development process with the surrounding properties inside the City limits.

The criterion is met.

2. There is a demonstrated public need for a change of the specific type proposed;

Response:

The City has an obligation to maintain appropriate housing opportunities pursuant to Goal 10 and the Metro Functional Plan and to provide for appropriate development opportunities within the UGB. The public need in this case is to develop residential, commercial and industrial areas within the City. The City can control the appearance, timing and character of the development by annexing it to the City. The City can find that there is a demonstrated public need in the form of encouraging and providing for appropriate development within the City rather than development adjacent to the City over which it has no control.

The criterion has been met.

3. That need will be best served by the amendment as proposed compared with other alternatives;

Response:

Annexation of these properties best serves the public need as compared to other alternatives. No other alternatives exist with respect to encouraging development within the City and not adjacent to the City so that the City controls the

appearance of the development and gains the benefit of development within the City. This is an appropriate area for development given its inclusion in the expanded UGB and ability for the City to provide sanitary sewer, water, and storm drainage to the area. Transportation issues will be studied during the concept planning process and improvements identified through the comprehensive planning process.

The criterion has been met.

4. The proposed amendment is consistent with the use and implementation of growth management mechanisms and capital improvement programs of the city.

Response:

The proposed amendment implements the growth management mechanism of annexation, which provides for City control of development adjacent to and around the City rather than allowing development outside the City. Annexation is a well-recognized growth management mechanism, which provides for control, timing and appropriate development to land. Upon development, the properties will be required to participate in or contribute to the provision of Level 1 and Level 2 facilities which are part of the capital improvement program of the City.

The City of Happy Valley Comprehensive Plan establishes goals and policies to guide the quantity, type, costs, timing, and quality of development within the city. The applicable growth management mechanism policies related to the proposed project are Policies 97, 99, and 102.

Policy 97 states that the "City shall permit development on vacant buildable lands when all Level 1 facilities and services are available [including] sanitary sewer, water supply, storm drainage, fire protection, and streets and roads." Policy 99 is similar to Policy 97, although it refers to having adequate provisions for providing Level 2 services that include schools, police protection, parks and recreation, public transit, vector control, and city administrative services. Policy 102 requires city coordination with local service providers to ensure adequate services are available. Policy 102 states that the "city shall rely on a determination provided by the service providers and other affected agencies...Any determination shall be within the parameters of the providers' or agency's own standards, criteria, requirements or plans."

Generally, the parcels would remain within service districts currently serving the area. This includes the Sunrise Water Authority, Clackamas County Fire District #1, North Clackamas School District #12, Centennial School District, Metro, Trimet, etc. However, annexation into Clackamas County Service District #1 (CCSD #1), which is the sanitary sewer and surface water management district, will be required. The subject sites are within an area that is included in an urban service provider agreement between CCSD #1 and the City of Happy Valley that stipulates that CCSD #1 will provide service to the territory once it is annexed into the City. At the time of development, the property owners will be required to submit applications for annexation to CCSD#1 for provision of services. Similarly, the subject properties are not presently within a street lighting district. Therefore, annexation into Clackamas County Service District #5, will be required upon development to provide street lighting for the area.

If the annexation requests are approved, future residential, commercial, and industrial development would meet local development standards set forth by the city and local service providers.

The criterion has been met.

5. The proposed amendment can be implemented by this land development title and all other applicable codes, ordinances and regulations. The applicant bears the entire burden of proof of establishing to the planning commission that the proposed amendment meets the above requirements.

Response:

Future development approval would require conformance with all applicable requirements of the codes, ordinances and regulations of the City of Happy Valley.

The criterion has been met.

16.40.100 Annexation to the existing City

Response:

The appropriate petitions were filed with the City. A hearing was held before the Planning Commission, in which a recommendation was formulated and forwarded

to the City Council. A subsequent hearing will be held before the City Council who will make the final decision on the application on March 21, 2006.

The criterion has been met.

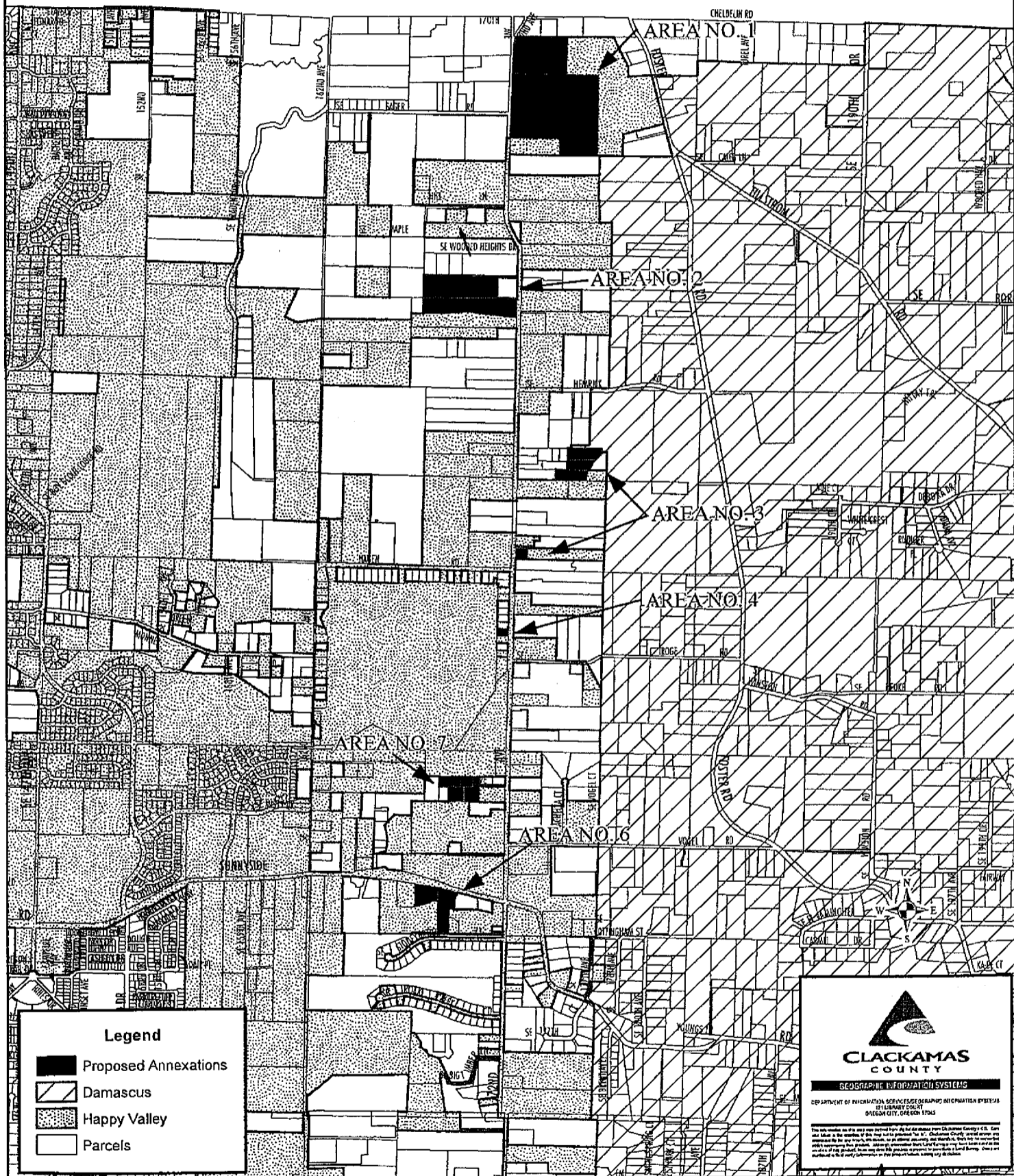
CONCLUSION:

Staff has determined that the above findings demonstrate that the proposed annexation satisfies the requirements of the City of Happy Valley Comprehensive Plan and Land Development Ordinance [Title 16], Metro Functional Plan, Metro Code 3.09, and Statewide Planning Goals. The Staff, therefore, **recommends the City Council approve** annexation application ANN-04-05.

EXHIBITS:

- A. Annexation Area Maps
- B. Legal Descriptions for Areas 1, 2, 3, 4, 6, and 7
- C. Annexation Applications/Petitions
- D. Property owner list
- E. Copy of Resolution 05-13
- F. Affidavit of mailing

City of Happy Valley Annexation No. 04-05



City Of Happy Valley
Annexation No. 04-05

Area No. "1"

Legal Description

A tract of land situated in Section 30, T1S, R3E, W.M. Clackamas County Oregon & more particularly described as follows:

Beginning at the northwest corner of the Nobel DLC No. 70;

1. Thence North $89^{\circ} 25'$ East, along the north line of said DLC, 1518.6 feet;
2. Thence South $28^{\circ} 22'$ East, 410 feet to the northwest corner of a tract of land (13E30A1002) as recorded in deed instrument no. 91-02878;
3. Thence South, along the west line of said tract, 140.38 feet to the southwest corner of said tract;
4. Thence East, along the south line of said tract and its easterly extension 356.39 feet more or less to the point of intersection with the east line of Foster Road (a 60 foot R/W);
5. Thence South $16^{\circ} 34'$ East, along said east line 750 feet more or less to the point of intersection with the easterly extension of the north line of a tract of land (13E30A 00900) as recorded on deed instrument no. 97-069999 (Parcel D);
6. Thence South $74^{\circ} 18'$ West, along said extension, north line and its westerly extension, 645.20 feet more or less to the northwest corner of a tract of land (13E30A 00902) as recorded in deed instrument no. 97-069999 (Parcel II);
7. Thence South $0^{\circ} 05' 35''$ West, along the west line of said tract and its southerly extension, 275.0 feet to the southwest corner of a tract of land (13E30A 00901) as recorded in deed instrument no. 89-04561;
8. Thence West, 980.14 feet more or less to the southeast corner of a tract of land (13E30A01600) as recorded in deed instrument no. 94-55213; said corner also being on the existing City limits of the City of Happy Valley;

9. Thence North, along said city limits and the east line of said tract, 200 feet to the northeast corner of said tract;
10. Thence West, along said city limits and the north line of said tract and its westerly extension, 750 feet more or less to the west line of S.E. 172nd Avenue (a 60 foot R/W);
11. Thence leaving said city limits North, along said west line, 1450 feet more or less to the point of intersection with the westerly extension of the north line of the Nobel DLC No. 70;
12. Thence East, along said extension, 30 feet more or less to the true point of beginning.

City Of Happy Valley
Annexation No. 04-05

Area No. "2"

Legal Description

A tract of land situated in Section 30, T1S, R3E, W.M. Clackamas County Oregon & more particularly described as follows:

Beginning at the northwest corner of a tract of land (13E30C00700) as recorded in deed instrument no. 92-73809;

1. Thence East, along the north line of said tract, 1335 feet more or less to the west line of S.E. 172nd Ave. (a 60 foot R/W);
2. Thence South, along said west line, 25 feet;
3. Thence South 89° 11' 50" West, and parallel with said north line, 292.60 feet to the northwest corner of a tract of land (13E30C00701) as recorded in deed instrument no.95-013270;
4. Thence South, along the west line of said tract, 297.74 feet to the southwest corner of said tract;
5. Thence North 89° 02' East, 292.60 feet to the west line of said S.E. 172nd Ave.;
6. Thence South, along said west line, 295.4 feet;
7. Thence North 85° 15' West, 729.6 feet;
8. Thence South 86° 02' West, 343.2 feet;
9. Thence North 89° 48' West, 307.96 feet;
10. Thence North 0° 02' East, 231 feet;
11. Thence North 0° 5' 10" West, 322.74 feet to the point of beginning;

City Of Happy Valley
Annexation No. 04-05

Area No. "3"

Legal Description

Tract "A"

A tract of land situated in Section 31, T1S, R3E, W.M. Clackamas County Oregon and more particularly described as follows:

1. Beginning at the southwest corner of the northeast quarter of said section, said corner being on the centerline of S.E. 172nd Avenue;
2. Thence East, along the south line of said northeast quarter, 30 feet to the east line of S.E. 172nd Avenue (a 60 foot R/W), and the existing city limits of the City Of Happy Valley;
3. Thence North 0^o00' 40" West, along said east line and city limits, 305 feet more or less to the northwest corner of a tract of land (13E31A1500) as recorded in deed instrument no.95-072991, said corner being the true point of beginning;
4. Thence (leaving said east line & city limits) North 88^o47' 56" East, along the north line of said tract, 171.0 feet;
5. Thence South 0^o32' 48" East, along the east line of said tract, 145.32 feet to the southeast corner of said tract;
6. Thence North 88^o47' 56" West, along the south line of said tract, 171.0 feet, to the east line of S.E. 172nd Ave.;
7. Thence North, along said east line & city limits, 145.35 feet to the true point of beginning.

City of Happy Valley
Annexation No. 04-05

Area No. "3"

Tract "B"

Beginning at the southwest corner of the northeast quarter of said Section, said corner being on the center line of S.E. 172nd Avenue (a 60 foot R/W);

1. Thence East, along the southline of said northeast quarter, 30 feet to the east line of S.E. 172nd Avenue and the existing city limits of the City Of Happy Valley;
2. Thence North 0° 00' 40" West, along said east line and city limits, 1053.97 feet more or less to the southwest corner of a tract of land (13E31A 1204) as recorded in deed instrument No. 90-23845;
3. Thence North 88° 50' 19" East, along said city limits and the south line of said tract, 742.40 feet to the southeast corner of said tract;
4. Thence North 0° 32' 33" West, along said city limits and the east line of said tract, 264 feet to the northeast corner of said tract, and the true point of beginning;
5. Thence South 88° 50' 19" West, along the north line of said tract, 175 feet more or less to the southwest corner of a tract of land (13E31A01000) as recorded in deed instrument no. 84-43680;
6. Thence North, along the west line of said tract, 160 feet more or less to the northwest corner of said tract;
7. Thence East along the north line of said tract, 148.81 feet to the southwest corner of a tract of land (13E31A00902) as recorded in deed instrument no.84-43682;
8. Thence North 0° 26' 38" West, along the west line of said tract, 312.66 feet to the northwest corner of a tract of land (13E31A901) as recorded in deed instrument no. 90-26474;
9. Thence North 88° 53' 06" East, along the north line of said tract, 487.38 feet;
10. Thence South 0° 32' 33" West, 49.5 feet;

11. Thence North $88^{\circ} 53' 06''$ East, 82.50 feet to the most easterly northeast corner of said tract;
12. Thence South $0^{\circ} 32' 23''$ East, along the east line of said tract, 16 feet to the most easterly southeast corner of said tract;
13. Thence along the following courses; South $88^{\circ} 53' 06''$ West, 45 feet; South $30^{\circ} 46' 31''$ West, 70.57 feet; South $69^{\circ} 44' 00''$ West, 139.29 feet; South $53^{\circ} 18' 25''$ West, 29.74 feet; South $09^{\circ} 07' 05''$ West, 83.72 feet; South $36^{\circ} 28' 17''$ West, 61.25 feet; South $03^{\circ} 03' 25''$ East, 50.36 feet; South $27^{\circ} 21' 49''$ West, 24.38 feet; South $09^{\circ} 43' 21''$ West, 31.44 feet; South $27^{\circ} 18' 48''$ West, 32.40 feet; South $03^{\circ} 47' 30''$ East, 16.20 feet to the southeast corner of a tract of land (13E31A1000) as recorded in deed instrument no.84-43680;
14. Thence South $89^{\circ} 11' 10''$ West, along the south line of said tract, 228 feet more or less to the true point of beginning.

City Of Happy Valley
Annexation No. 04-05

Area No. "4"

Legal Description

A tract of land situated in Section 31, T1S, R3E, W.M. Clackamas County Oregon &
more particularly described as follows:

All of lot 50, block 2 of Pleasant Valley Golf Estates, Plat No. 1355

City Of Happy Valley
Annexation No. 04-05

Area No. "6"

Legal Description

Tract "A"

A tract of land situated in Section 6, T2S, R3E, W.M. Clackamas County Oregon
& more particularly described as follows:

Beginning at the northeast corner of Parcel 1 of Partition Plat No. 1993-16, said
corner also being on the south line of Sunnyside Rd.;

1. Thence South $79^{\circ}08'44''$ East, along said south line, 25.38 feet;
2. Thence South $82^{\circ}03'10''$ East, along said south line, 309.62 feet, to
the northwest corner of Parcel 2 of Partition Plat No. 1996-62;
3. Thence South $0^{\circ}22'29''$ East, along the west line of said Parcel 2, 181
feet to the southeast corner of a parcel of land (23E 6B 1001) as
recorded in deed instrument no.98-077868;
4. Thence West, along the south line of said tract, 36.39 feet;
5. Thence South $88^{\circ}20'57''$ West, along said south line, 106.08 feet;
6. Thence South $59^{\circ}08'07''$ West, along said south line, 70.62 feet;
7. Thence Southerly, along said south line, 64.91 feet;
8. Thence Southerly, along said south line, 70.11 feet to the southeast
corner of said Parcel 1;
9. Thence North $0^{\circ}22'29''$ West, along the east line of said Parcel 1,
317.64 feet to the point of beginning.

Tract "B"

All of Parcel 2, of Partition Plat No. 1996-62

City Of Happy Valley
Annexation No. 04-05

Area No. "7 "

Legal Description

A tract of land situated in Section 6, T2S, R3E, W.M. Clackamas County
Oregon & more particularly described as follows:

All of lots 2,3,4, 7 & 8 of Turel Estates, Plat No. 3632



CITY OF HAPPY VALLEY
 12915 SE King Road
 Portland, OR 97236
 Phone: 503-760-3325
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:

HSC MANAGEMENT LLC
 Street Address of Property (if address has been assigned)

18E30A01001
 Legal Description (Subdivision Name, Lot number(s))

 Tax Map and Tax Lot Number

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

<u>[Signature]</u> Signature	_____ Owner Initial	_____ Voter Initial	<u>6-15-05</u> Date
_____ Signature	_____ Owner Initial	_____ Voter Initial	_____ Date
_____ Other Authorized Signature	_____ Owner Initial	_____ Voter Initial	_____ Date

6932 SW MACADAM
 Street Address

PORTLAND 97219
 Mailing Address

 City, State and Zip Code

 Home Phone

 Work Phone

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 _____

[Signature] 6-15-05
 Signature Date

 Signature Date

EXHIBIT # C



CITY OF HAPPY VALLEY
 12915 SE King Road
 Portland, OR 97236
 Phone: 503-760-3325
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:

Street Address: _____
(if Property of District of Happy Valley has been assigned)

Legal Description: **13E30A 01400** _____
HSC Management LLC))
6932 SW Macadam Avenue
Portland, OR 97219 _____

Tax Map and _____

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

Signature _____	Owner Initial _____	Voter Initial _____	Date <u>6-15-05</u>
Signature _____	Owner Initial _____	Voter Initial _____	Date _____
Other Authorized Signature _____	Owner Initial _____	Voter Initial _____	Date _____

Street Address _____	Home Phone _____	Work Phone _____
<u>6932 SW Macadam Ave</u>		
Mailing Address _____	A legal description and a copy of the assessor's map of the property must be submitted with this petition.	
<u>Portland 97219</u>		
City, State and Zip Code _____		

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 _____.

Signature _____	Date <u>6-15-05</u>	Signature _____	Date _____
-----------------	---------------------	-----------------	------------

EXHIBIT # C



CITY OF HAPPY VALLEY
 12915 SE King Road
 Portland, OR 97236
 Phone: 503-760-3325
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:

Street Address c 13E30A 01500

Legal Descripti HSC Management LLC
6932 SW Macadam Ave
Portland, OR 97219

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>6-15-04</u>
Signature	Owner Initial	Voter Initial	Date
_____ Signature	_____ Owner Initial	_____ Voter Initial	_____ Date
_____ Other Authorized Signature	_____ Owner Initial	_____ Voter Initial	_____ Date

Street Address	Home Phone	Work Phone
<u>6932 SW Macadam Ave</u>		
Mailing Address	<div data-bbox="1010 1773 1606 1964" data-label="Text"> <p>A legal description and a copy of the assessor's map of the property must be submitted with this petition.</p> </div>	
<u>Portland, 97219</u>		
City, State and Zip Code		

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>[Signature]</u>	<u>[Date]</u>
Signature	Date	Signature	Date

EXHIBIT # C

PETITION TO ANNEX CITY OF HAPPY VALLEY

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:	
<i>TAX lots 02400 Clackamas County</i>	
<i>10037 SE 172 Ave Boring OR 97009</i>	
Street Address of Property (If address has been assigned)	
13712213E30C 00700 BRINSFIELD JAMES P & JANET Legal Descriptio 10037 SE 172ND AVE BORING, OR 97009	s))
Tax Map and Tax Lot Number	<i>7.00 AC</i>
<i>Tax lot 13E30C02400 Clackamas County Section 30 Township Range 3E</i>	

Signature(s) of Legal Owner(s) and/or Registered Voter(s)

<i>X</i> <u><i>James P Brinsfield</i></u>	<u><i>JPB</i></u>	<u><i>JPB</i></u>	<u><i>5-21-2005</i></u>
Signature	Owner Initial	Voter Initial	Date
<u><i>Janet Brinsfield</i></u>	<u><i>JB</i></u>	<u><i>JB</i></u>	<u><i>5-21-2005</i></u>
Signature	Owner Initial	Voter Initial	Date
Other Authorized Signature	Owner Initial	Voter Initial	Date
<u><i>10037 SE 172 Ave</i></u>	<u><i>503 658-7072</i></u>	<u><i>239-5497</i></u>	
Street Address	Home Phone	Work Phone	

Mailing Address	A legal description of the property must be submitted with this petition.
City State Zip	

RECEIVED BY

MAY 31 2005 4-13-05

EXHIBIT # *C*

CITY OF HAPPY VALLEY

PETITION TO ANNEX CITY OF HAPPY VALLEY

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:	
TAX Lot 700 (Clackamas County)	
<u>10037 SE 172 Ave Boring OR 97009</u>	
Street Address of Property (If address has been assigned)	
Legal Description 13736413E30C 02400 BRINSFIELD JAMES P & JANET 10037 SE 172ND AVE BORING, OR 97009	r(s)
Tax Map and Tax Lot Number	
7.62 AC	
Tax lot 13 E 30 C 00700 (Clackamas County) Sec 30 - Range 3 E	

Signature(s) of Legal Owner(s) and/or Registered Voter(s)

<i>Janet Brinsfield</i>	<i>JB</i>	<i>JB</i>	<i>5-21-2005</i>
Signature	Owner Initial	Voter Initial	Date
<i>James P. Brinsfield</i>	<i>JPB</i>	<i>JPB</i>	<i>5-21-2005</i>
Signature	Owner Initial	Voter Initial	Date

Other Authorized Signature Owner Initial Voter Initial Date

10037 SE 172 Ave (503) 658-7072 503 239-5499

Street Address Home Phone Work Phone

Same

Mailing Address

Boring OR 97009

City State Zip

A legal description of the property must be submitted with this petition.

RECEIVED BY
MAY 31 2005
CITY OF HAPPY VALLEY

EXHIBIT # C

PETITION TO ANNEX CITY OF HAPPY VALLEY

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:

Street Address of Property (If address has been assigned)

Legal Description (S) 13804113E31A 00901
COLVIN MICHAEL I & MARY
11058 SE 172ND AVE
BORING, OR 97009

Tax Map and Tax Lot Number

TL 901 Sect. 31A T1S R3E

Signature(s) of Legal Owner(s) and/or Registered Voter(s)

Michael Colvin MC MC 6-6-05
Signature Owner Initial Voter Initial Date

Mary Colvin MC MC 6-6-05
Signature Owner Initial Voter Initial Date

Other Authorized Signature Owner Initial Voter Initial Date

Street Address 503-658-8524
Home Phone Work Phone

11058 SE 172ND AVE
Mailing Address

BORING OR 97009
City State Zip

A legal description of the property must be submitted with this petition.

EXHIBIT # C

4-13-05

PETITION TO ANNEX CITY OF HAPPY VALLEY

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:	
Street Address of Property (If address has been assigned)	
Legal Descripti	13805013E31A 00902 COLVIN MICHAEL I & MARY 11058 SE 172ND AVE (s)) BORING, OR 97009
Tax Map and Tax Lot Number	
TL 902 SEC 31 T 1 S R 3 E	

Signature(s) of Legal Owner(s) and/or Registered Voter(s)

<i>Michael Colvin</i>	<i>MC</i>	<i>MC</i>	6-6-05
Signature	Owner Initial	Voter Initial	Date

<i>Mary Colvin</i>	<i>MC</i>	<i>MC</i>	6-6-05
Signature	Owner Initial	Voter Initial	Date

Other Authorized Signature	Owner Initial	Voter Initial	Date
----------------------------	---------------	---------------	------

Street Address	503-658-8524	Home Phone	Work Phone
----------------	--------------	------------	------------

11058 SE 172ND AVE

BORING	OR	97009
City	State	Zip

A legal description of the property must be submitted with this petition.

4-13-05

EXHIBIT # C

PETITION TO ANNEX CITY OF HAPPY VALLEY

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:

Street Address of Property (If address has been assigned)

13806913E31A 01000
COLVIN MICHAEL I & MARY
11058 SE 172ND AVE
BORING, OR 97009

Legal Description (Sub

Tax Map and Tax Lot Number

TL 1000 Sect. 31A T1S R3E

Signature(s) of Legal Owner(s) and/or Registered Voter(s)

<i>Michael Colvin</i>	<i>MC</i>	<i>MC</i>	6-6-05
Signature	Owner Initial	Voter Initial	Date

<i>Mary Coleman</i>	<i>MC</i>	<i>MC</i>	6-6-05
Signature	Owner Initial	Voter Initial	Date

Other Authorized Signature	Owner Initial	Voter Initial	Date
----------------------------	---------------	---------------	------

11058 SE 172ND AVE	503 658-8524	
Street Address	Home Phone	Work Phone

S.A.A.		
BORING	OR	97009
City	State	Zip

A legal description of the property must be submitted with this petition.

4-13-05

EXHIBIT # C

PETITION TO ANNEX CITY OF HAPPY VALLEY

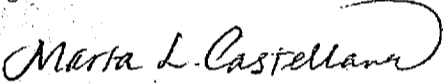
To the City Council of the City of Happy Valley, Oregon:

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:		
Street Address	13816713E31A 01500 CASTELLANE ALBERT J & MARTA L 11400 SE 172ND AVE BORING, OR 97009	Parcel Assigned:
Legal Description		Parcel Number(s):
Tax Map and Tax Lot Number		

Signature(s) of Legal Owner(s) and/or Registered Voter(s)

	AC	Voter Initial	6/1/05
Signature	Owner Initial	Voter Initial	Date

	mlc	Voter Initial	6-1-05
Signature	Owner Initial	Voter Initial	Date

Other Authorized Signature	Owner Initial	Voter Initial	Date
----------------------------	---------------	---------------	------

Street Address	Home Phone	Work Phone
----------------	------------	------------

Mailing Address		
City	State	Zip

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 until _____

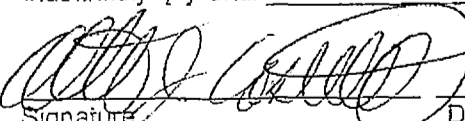
	6/1/05	Voter Initial	6-1-05
Signature	Date	Voter Initial	Date

EXHIBIT # 1




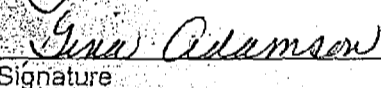


PETITION TO ANNEX CITY OF HAPPY VALLEY

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:		
Street Address of Property (If address has been assigned)		
Legal Description	13846113E31C 00600 ADAMSON JAMES T & GINA L 11851 SE 172ND AVE BORING, OR 97009	s))
Tax Map and Tax Lot Number		

Signature(s) of Legal Owner(s) and/or Registered Voter(s)

			5/17/05
Signature	Owner Initial	Voter Initial	Date
			5/30/05
Signature	Owner Initial	Voter Initial	Date
Other Authorized Signature	Owner Initial	Voter Initial	Date
Street Address	Home Phone	Work Phone	

Mailing Address

City State Zip

A legal description of the property must be submitted with this petition.

4-13-05

EXHIBIT # C

PETITION TO ANNEX CITY OF HAPPY VALLEY

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:	
Street Address of Property (If address has been assigned) 61141223E06B 01001 DENT RICHARD W 50% 16840 SE SUNNYSIDE RD Legal Descriptio CLACKAMAS, OR 97015 s))	
Tax Map and Tax Lot Number 23E06B 01001 acct #: 00611412	

Signature(s) of Legal Owner(s) and/or Registered Voter(s)

<i>Richard W. Dent</i>	RW	RW	5-19-05
Signature	Owner Initial	Voter Initial	Date

<i>Hertrude J. Dent</i>	GTD	GTD	5-19-05
Signature	Owner Initial	Voter Initial	Date

Other Authorized Signature	Owner Initial	Voter Initial	Date
----------------------------	---------------	---------------	------

<i>16840 S.E. Sunnyside</i>	Home Phone	Work Phone
Street Address		

Mailing Address	A legal description of the property must be submitted with this petition.
<i>Clackamas OR 97015</i>	
City State Zip	

4-13-05

EXHIBIT # 2



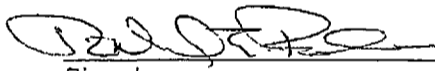
PETITION TO ANNEX CITY OF HAPPY VALLEY

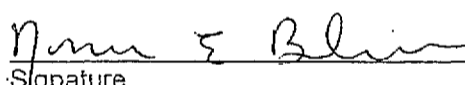
To the City Council of the City of Happy Valley, Oregon

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:		
Street Address of Property (If address has been assigned)		
169831823E06B 01102 BARHOUM RICHARD & NORMA		
Legal Description	16920 SE SUNNYSIDE RD CLACKAMAS, OR 97015	(s))
Tax Map and Tax Lot Number		

Signature(s) of Legal Owner(s) and/or Registered Voter(s)

	R. E. B.	Voter Initial	5-5-05
Signature	Owner Initial	Voter Initial	Date

	N E B	Voter Initial	5-5-05
Signature	Owner Initial	Voter Initial	Date

Other Authorized Signature	Owner Initial	Voter Initial	Date
----------------------------	---------------	---------------	------

Street Address	Home Phone	Work Phone
----------------	------------	------------

Mailing Address	A legal description of the property must be submitted with this petition.
City State Zip	

4-13-05

EXHIBIT # C



CITY OF HAPPY VALLEY
 12915 SE King Road
 Portland, OR 97236
 Phone: 503-760-3325
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.

CITY OF HAPPY VALLEY

JUN 14 2005

RECEIVED BY

The consent for annexation is for the following described property:

Stanley Turel
 Street Address of Property (if address has been assigned)

23 E 06 BA 01500
 Legal Description (Subdivision Name, Lot number(s))

23 E 06 BA 01500
 Tax Map and Tax Lot Number

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

[Signature] [Initial] [Initial] 6/14/05
 Signature Owner Initial Voter Initial Date

 Signature Owner Initial Voter Initial Date

 Other Authorized Signature Owner Initial Voter Initial Date

 Street Address Home Phone Work Phone

 Mailing Address

 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 _____.

 Signature Date Signature Date

EXHIBIT # C



CITY OF HAPPY VALLEY
 12915 SE King Road
 Portland, OR 97236
 Phone: 503-760-3325
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.

RECEIVED BY
 JUN 14 2005
 CITY OF HAPPY VALLEY

The consent for annexation is for the following described property:

 Street Address of Property (if address has been assigned)

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

23 E 06 BA 01600
 Tax Map and Tax Lot Number

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

 Signature Owner Initial Voter Initial Date 6/14/05

 Signature Owner Initial Voter Initial Date

 Other Authorized Signature Owner Initial Voter Initial Date

 Street Address Home Phone Work Phone

 Mailing Address

 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 _____.

 Signature Date Signature Date

EXHIBIT # C

PETITION TO ANNEX CITY OF HAPPY VALLEY

ATTENTION
WANDA
FAX

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:	
16921 SE TRISTIN AVE 172 nd	
Street Address of Property (if address has been assigned)	
Legal Description (Subdivision Name, Lot Number(s))	
500294423 E 06 B A 01700	
Tax Map and Tax Lot Number	
See attached	

Signature(s) of Legal Owner(s) and/or Registered Voter(s)

<u>Yvonne J. Fuel</u>	<u>YJ</u>	<u>YJ</u>	<u>6/21/05</u>
Signature	Owner Initial	Voter Initial	Date

_____	_____	_____	_____
Signature	Owner Initial	Voter Initial	Date

_____	_____	_____	_____
Other Authorized Signature	Owner Initial	Voter Initial	Date

<u>611 NE Tracker Ct</u>	<u>(541) 389-6609</u>
Street Address	Home Phone
<u>Po Box 8604</u>	<u>Same</u>
Mailing Address	Work Phone

<u>Bend OR 97708</u>	A legal description of the property must be submitted with this petition.
City State Zip	

EXHIBIT # C



CITY OF HAPPY VALLEY

12915 SE King Road
Portland, OR 97236
Phone: 503-760-3325

PETITION TO ANNEX

CITY OF HAPPY VALLEY

JUN 14 2005

RECEIVED BY

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:

Stanley Turel
 Street Address of Property (if address has been assigned)

23E 06 BA 02000
 Legal Description (Subdivision Name, Lot number(s))

 Tax Map and Tax Lot Number

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

[Signature] [Initial] [Initial] 6/14/05
 Signature Owner Initial Voter Initial Date

 Signature Owner Initial Voter Initial Date

 Other Authorized Signature Owner Initial Voter Initial Date

 Street Address Home Phone Work Phone

 Mailing Address

 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 _____.

 Signature Date Signature Date

EXHIBIT # C



CITY OF HAPPY VALLEY
 12915 SE King Road
 Portland, OR 97236
 Phone: 503-760-3325
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:

Stanley Turel
 Street Address of Property (if address has been assigned)

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

23 E 06 BA 0 2100
 Tax Map and Tax Lot Number

CITY OF HAPPY VALLEY

JUN 14 2005

RECEIVED BY

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

[Signature] S 6/14/05
 Signature Owner Initial Voter Initial Date

 Signature Owner Initial Voter Initial Date

 Other Authorized Signature Owner Initial Voter Initial Date

 Street Address Home Phone Work Phone

 Mailing Address

 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 _____.

 Signature Date Signature Date

EXHIBIT # C

ANN-04-05

ASSESSOR TAX MAP	Property owner	Site address	Mailing address	City, Zip	Acreage	Existing Zoning
13E30A 01001	HSC Management LLC	no situs	6932 SW Macadam Avenue	Portland, OR 97219	27.98	FF10
13E30A 01400	HSC Management LLC	no situs	6932 SW Macadam Avenue	Portland 97219	9.74	FF10
13E30A 01500	HSC Management LLC	no situs	6932 SW Macadam Avenue	Portland 97219	29.87	FF10
13E30C 00700	Brinsfield, James & Janet	same	10037 SE 172nd Avenue	Boring, 97009	7.99	RRFF5
13E30C 02400	Brinsfield, James & Janet	same	10037 SE 172nd Avenue	Boring, 97009	7.25	RRFF5
13E31A 00901	Colvin, Michael & Mary	same	11058 SE 172nd Avenue	Boring, 97009	1.69	RRFF5
13E31A 00902	Colvin, Michael & Mary	SAME	11058 SE 172nd Avenue	Boring, 97009	1.18	RRFF5
13E31A 01000	Colvin, Michael & Mary	same	11058 SE 172nd Avenue	Boring, 97009	1.48	RRFF5
13E31A 01500	Castellane, Albert & Marta	same	11400 SE 172nd Avenue	Boring, 97009	0.57	RRFF5
13E31C 00600	Adamson, James & Gina	same	11851 SE 172nd Ave	Boring, 97009	0.23	RRFF5
23E06B 01001	Dent, Richard W.	same	16840 SE Sunnyside Rd	Clackmas, 97015	1.98	RRFF5
23E06B 01102	Barhoum, Richard & Norma	same	16920 SE Sunnyside Rd	Clackmas, 97015	2.95	RRFF5
23E06BA01500	Turel, Stanley	17041 SE Tristin Avenue, Boring, OR., 97009	604 SE 121st Avenue	Vancouver, WA 98683	0.28	RRFF5
23E06BA01600	Turel, Stanley	16981 SE Tristin Avenue, Boring, OR., 97009	604 SE 121st Avenue	Vancouver, WA 98683	0.58	RRFF5
23E06BA01700	Turel, Yvonne	16921 SE Tristin Avenue, Boring, OR., 97009	PO Box 8604	Bend, OR, 97708	1.04	RRFF5
23e06ba02000	Turel, Stanley	16932 SE Tristin Avenue, Boring, OR., 97009	604 SE 121st Avenue	Vanc, Wash, 98683	1.1	RRFF5
23E06BA02100	Turel, Stanley	16996 SE Tristin Avenue, Boring, OR 97009	604 SE 121st Avenue	Vancouver, WA 98683	1.43	RRFF5
				Total Acreage	97.34	

EXHIBIT # D

HAPPY VALLEY, OREGON
Resolution No. 5-13

COPY

A RESOLUTION OF THE CITY OF HAPPY VALLEY, OREGON ESTABLISHING AN
EXPEDITED DECISION PROCESS FOR ANNEXATIONS PURSUANT TO METRO CODE
CHAPTER 3.09.045.

WHEREAS, Metro Code Chapter 3.09.045 authorizes cities to establish an expedited decision process for annexations that are supported by the written consent of at least 100 percent of the property owners and 50 percent of the electors of the proposed annexation territory; and

WHEREAS, it is the current policy of the City of Happy Valley to only annex residential properties of consenting land owners; and

WHEREAS, the City wishes to have the option to annex territories pursuant to Metro Code Chapter 3.09.045; and

WHEREAS, there are no impediments to taking advantage of the expedited decision process in the City of Happy Valley Municipal Code.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF HAPPY VALLEY:

Section 1. The City shall, when it deems appropriate, conduct annexations pursuant to the expedited decision process outlined in Metro Code Chapter 3.09.045.

Section 2. The City reserves the right not to utilize the expedited decision process of Metro Code Chapter 3.09.045.

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CITY OF HAPPY VALLEY
RESOLUTION NO. 05-13

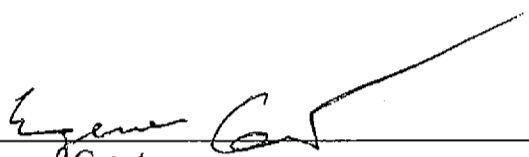
EXHIBIT # E¹ 7

Section 4. This Resolution shall take effect immediately upon its adoption by the City Council and approval by the Mayor.


COPY

PASSED by City Council on this 7th day of June, 2005.

Approved by the Mayor on this 7th day of June, 2005.



Eugene Grant
Mayor

Attest:


Marylee Walden
City Recorder

Mayor
HON. EUGENE GRANT

City Councilors
CHUCK DALICH
LORI DEREMER
JONATHAN EDWARDS
ROB WHEELER



City of Happy Valley

12915 SE KING ROAD, HAPPY VALLEY, OREGON 97236-6298

Telephone (503) 760-3325 ~ Fax (503) 760-9397

Web Site: www.ci.happy-valley.or.us

Affidavit of Mailing

State of Oregon)I

)ss: City of Happy Valley

County of Clackamas)I

I, Lynette Garbarino, Planning Assistant for the City of Happy Valley, hereby provide the following affidavit:

I certify that the following notice was mailed, a copy of which is attached hereto as Exhibit A, on the applicant identified as City of Happy Valley, and upon the owners of record of property on the most recent tax assessment roll where such property is located within 300 feet of the property which is the subject of the notice, by mailing to each person on Monday, February 27, 2006, contained in a sealed envelope, with postage paid, addressed to each such person at his/her mailing address. The names of the persons to whom notice was mailed is set forth on Exhibit B which is attached hereto. The mailing was deposited at the drop box located at 12915 SE King Road, Happy Valley, Oregon, 97236.

Lynette Garbarino, Administrative Assistant

Subscribed and sworn before me this 27th day of February, 2006..

Notary Public for Oregon

My Commission Expires: 2.5.10

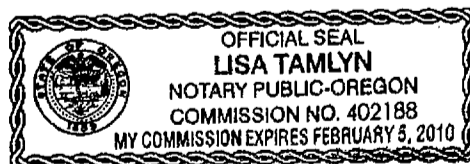


EXHIBIT # F

Our Mission is **Our Community**
Working with You to Preserve, Serve, and Enrich

CITY OF HAPPY VALLEY

12915 SE KING ROAD
PORTLAND, OREGON 97236
(503) 760-3325
FAX: (503) 760-9397

NOTICE

NOTICE IS HEREBY GIVEN that the Happy Valley City Council will consider an annexation of territory pursuant to the Expedited Decision process of Metro Code Chapter 3.09.045 in the City of Happy Valley Annex, 12915 SE King Road, in the City of Happy Valley, Oregon on the following dates/times:

Tuesday, March 21, 2006 at 7:00 p.m.

DOCKET
NUMBER

ANN-04-05

Annexation of 17 properties totaling approximately 97.34 acres of real property further described on the Assessor's Tax Map as:

Area 1: 13E30A01001, 13E30A01400, 13E30A01500, Area 2: 13E30C00700, 13E30C02400,
Area 3: 13E31A00901, 13E31A00902, 13E31A01000, 13E30A01500, Area 4: 13E31C00600,
Area 6: 23E06B01001, 23E06B001102, Area 7: 23E06BA01500, 23E06BA01600,
23E06BA01700, 23E06BA02000, 23E06BA02100,

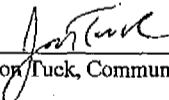
This hearing is being held as a result of a State Land Use Board of Appeals remand decision of an appeal filed by the City of Damascus. The remand decision was rendered based on the resolution by the City of Damascus to annex certain properties into their jurisdiction prior to the receipt of certain annexation petitions to the City of Happy Valley.

The City Council intends to decide on the annexation without a public hearing unless such a hearing is requested by a necessary party as that term is defined in Metro Code Chapter 3.09.020(j). The Council may approve or deny an annexation application in accordance with the applicable criteria of the City of Happy Valley Comprehensive Plan, and Articles 16.40.020, 16.40.030, 16.40.040, 16.40.041, 16.40.060, 16.12.070, 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 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 12:00 p.m., and 1:00 p.m. to 4:30 p.m. weekdays), please call for an appointment. For additional information, contact either Jason Tuck, Community Development Director, or Michael D. Walter, Planning Services Manager 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.



Jason Tuck, Community Development and Economic Director

EXHIBIT # F