Oregon
Theodore R. Kulongoski, Governor

Department of Land Conservation and Development
635 Capitol Street, Suite 150
Salem, OR 97301-2540
(503) 373-0050
Fax (503) 378-5518
www.lcd.state.or.us

NOTICE OF ADOPTED AMENDMENT

07/15/2013

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Happy Valley Plan Amendment
DLCD File Number 005-13

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: Monday, July 29, 2013

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

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

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

Cc: Justin Popilek, City of Happy Valley
Gordon Howard, DLCD Urban Planning Specialist
Jennifer Donnelly, DLCD Regional Representative

<paa> YA

FORM 2

DLCD Notice of Adoption

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

☐ In person ☐ electronic ☐ mailed

DATE STAMP

DEPT OF
JUL 10 2013
LAND CONSERVATION AND DEVELOPMENT

For Office Use Only

Jurisdiction: **City of Happy Valley**

Local file number: **ANN-0313/CPA-0513/LDC0613**

Date of Adoption: **7/2/2013**

Date Mailed: **7/8/2013**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☒ Yes ☐ No Date: 5/14/2013

☐ Comprehensive Plan Text Amendment

☒ Comprehensive Plan Map Amendment

☐ Land Use Regulation Amendment

☒ Zoning Map Amendment

☐ New Land Use Regulation

☐ Other:

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

The City annexed 4 properties, totaling 6.43 acres, and converted the existing Clackamas County comprehensive plan designations/zoning districts to "equivalent" City of Happy Valley comprehensive plan designations/zoning districts.

Does the Adoption differ from proposal? Please select one

No

Plan Map Changed from: **Clackamas Co. LDR & Lt Ind.** to: **City R-7, R-10 & IC**

Zone Map Changed from: **Clackamas Co. R-7, R-10 & I-2** to: **City R-7, R-10 & IC**

Location: **Various**

Acres Involved: **6.64**

Specify Density: Previous: **Varies**

New: **Varies**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
☐	☒	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐

Was an Exception Adopted? ☐ YES ☒ NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing? ☒ **Yes** ☐ **No**

If no, do the statewide planning goals apply? ☐ **Yes** ☐ **No**

If no, did Emergency Circumstances require immediate adoption? ☐ **Yes** ☐ **No**

DLCD file No. 005-13 (19843) [17522]

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

Clackamas Co. & Metro

Local Contact: **Justin Popilek, Senior Planner** Phone: **(503) 783-3810** Extension:

Address: **16000 SE Misty Drive** Fax Number: **503-658-5174**

City: **Happy Valley** Zip: **97086-** E-mail Address: **justinp@happyvalleyor.gov**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)

per ORS 197.615 and OAR Chapter 660, Division 18

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

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

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

Mayor
Honorable Lori DeRemer

City of Happy Valley

City Manager
Jason Tuck

DATE: July 8, 2013

File No. ANN-03-13/LDC-06-13/CPA-05-13

NOTICE OF EXPEDITED DECISION

This is official notice of action taken by the Happy Valley City Council pursuant to Metro Code 3.09.045 with regard to an application for annexation to the City of Happy Valley. The subject properties are described as Clackamas County Assessor Map Numbers:

12E33AD00800, 12E34DC07600, 22E02A 02100 & 22E10D 00100

On July 2, 2013 the City Council formally approved the subject application/petitions based upon findings included within the Staff Report dated July 2, 2013, and deliberations of the City Council.

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

Justin Popilek, Senior Planner

cc: Petitioner
Necessary Parties
File

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

ORDINANCE NO. 438
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, AMENDING OFFICIAL MAP EXHIBIT 11 OF THE CITY OF HAPPY VALLEY LAND DEVELOPMENT ORDINANCE NO. 97, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to ORS 222.125 the City of Happy Valley received petitions signed by 100 percent of the owners of 100 percent of the properties with 100 percent of the assessed value of territory requesting annexation (ANN-03-13/LDC-06-13/CPA-05-13); and

WHEREAS, the proposed annexation territory consists of four tax lots totaling 6.43 acres of land adjacent to existing city boundaries; and

WHEREAS, the specific tax lots to be annexed include:

12E33AD00800, 22E02A 02100, 22E10D 00100, 12E34DC07600; and

WHEREAS, the City provided notice that the City Council would consider the annexation petitions, consistent with the applicable notice requirements of (1) Section 16.60.050 of the City's Land Development Code, (2) applicable provisions of Metro Code Chapter 3.09, and (3) applicable state law requirements; and

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

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

WHEREAS, the City Council considered the proposed annexation at its regularly scheduled City Council meeting on July 2, 2013; and

Now, therefore, based on the foregoing,

THE CITY OF HAPPY VALLEY ORDAINS AS FOLLOWS:

Section 1. The City Council declares the territory described in Exhibit A. and depicted in Exhibit B is annexed to Happy Valley effective July 2, 2013.

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

12E33AD00800 – Low Density Residential (R-7)
12E34DC07600 – Low Density Residential (R-10)
22E02A 02100 – Low Density Residential (R-7)
22E10D 00100 – Industrial Campus (I-C)

Section 3. The City Council adopts the subject annexation application (ANN-03-13/LDC-06-13/CPA-05-13) and the associated Staff Report to the City Council dated July 2, 2013.

Section 4. The territory described in Exhibit A, and depicted in Exhibit B is hereby withdrawn from the Clackamas County Enhanced Law Enforcement District effective July 2, 2013.

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

Section 6. The City Recorder is directed to:

1. File a copy of this ordinance and the statements of consent to annexation consistent with ORS 222.180 with the Secretary of State and Department of Revenue;

2. Mail a copy of this ordinance to Metro including the required fee consistent with Metro Code Chapter 3.09.030(e); and

3. Mail a copy of this ordinance to Clackamas County and any other necessary parties consistent with Metro Code Chapter 3.09.030(e).

Section 8. An emergency is declared to exist and as provided by Section 17 of the Happy Valley City Charter this ordinance takes effect on July 2, 2013.

COUNCIL APPROVAL AND UNANIMOUS ADOPTION AT ONE MEETING: [July 2, 2013]

Lori DeRemer
Mayor

Adoption and date attested by:

Marylee Walden
City Recorder

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

NOTICE

NOTICE IS HEREBY GIVEN that the Happy Valley City Council will hold a public hearing to consider the annexation of territories pursuant to the Expedited Decision process of Metro Code Chapter 3.09.045 (unless a necessary party gives written notice of its object to the annexation) and a Comprehensive Plan Map/Zoning Map amendment (rezoning the subject properties from the existing Clackamas County plan designations/zoning districts to equivalent City of Happy Valley plan designations/zoning districts) to the affected properties pursuant to Section 16.67.070 of the City's Municipal Code in the City Hall Council Chambers, 16000 SE Misty Drive, Happy Valley, Oregon on **Tuesday, July 2, 2013, at 7:00 p.m.**

DOCKET NUMBER
ANN-03-13/LDC-06-13/CPA-05-13

The affected properties total approximately 6.67 acres of real property and includes the following properties as listed by Clackamas County Assessor Map Number:

12E33AD00800, 12E34DC07600, 22E02A 02100 and 22E10D 00100.

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

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

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

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

Justin Popilek,
Associate Planner

EXHIBIT # A

Mayor
Honorable Lori DeRemer

City of Happy Valley

City Manager
Jason A. Tuck

CITY OF HAPPY VALLEY

STAFF REPORT TO THE CITY COUNCIL

July 2, 2013

ANNEXATION APPLICATION (File Number: ANN-03-13/LDC-06-13/CPA-05-13)

Four Properties Totaling 6.43 Acres

I. GENERAL INFORMATION

PROPOSAL:

The City seeks approval of the annexation of four properties, with a cumulative area of approximately 6.43 acres, and the legislative amending of the City's Comprehensive Plan Map/Zoning Map to convert the existing Clackamas County Comprehensive Plan designation/zoning district for the subject properties to an equivalent Happy Valley plan designation/zoning district, as set forth in Section 16.67.070 of the City's Land Development Code (LDC). Staff has determined that the proposed annexation/zoning conversion complies with the applicable requirements of the Statewide Planning Goals, Oregon Revised Statutes (ORS), Metro Code, and the City's Comprehensive Plan and LDC. **Therefore, staff recommends the City Council APPROVE the proposed annexation subject to the findings and conclusions in this report.**

APPLICANT:

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

PROPERTY OWNERS:

See Attached List – Exhibit B

EXHIBITS:

Exhibit A - Annexation Area Map
Exhibit B - Property Data/Owner List
Exhibit C - Annexation Petitions

APPLICABLE CRITERIA:

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

BACKGROUND:

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

GENERAL DISCUSSION:

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

The properties proposed to be annexed are located in several areas that are adjacent to the existing city limits, as noted on Exhibit A. The legal descriptions for the areas proposed for annexation are included as exhibits to the ordinance accompanying this file (Ordinance Number 438) and the annexation application data forms for the areas to be annexed are attached as Exhibit B.

The proposed annexation incorporates four properties consisting of 6.43 acres located adjacent (which includes "reachable" by annexation via pubic right-of-way) to the existing boundary of the City of Happy Valley. The desire of the property owners to obtain city services/permit review and/or land use regulations for the subject properties have prompted the proposed annexation request.

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

The proposed annexation boundaries have been drawn up to include only the properties represented by the property owners or their representatives who signed the annexation petitions and applicable public right-of-way.

One of the properties proposed for annexation (Tax Lot 100) currently has a Clackamas County Comprehensive Plan designation/land use zone of "Light Industrial" (I-2) and is the location of an industrial style building. With the approval of the proposed annexation, Tax Lot 100 will receive a City plan designation/zoning district of "Industrial Campus" (IC). The type of building that exists on Tax Lot 100 would facilitate many of the permitted uses within the IC zone.

Two of the properties proposed for annexation (Tax Lots 800 and 2100) are Lots of Record that currently have a Clackamas County plan designation/zone of "Urban Low Density Residential" (R-7), which would convert to a City plan designation/zone of "Low Density Residential" (R-7). Tax Lot 800 is 1.25 acres in size and currently vacant, Tax Lot 2100 is 4.99 acres in size and contains one single-family detached residence. It is the desire of the owners of these two properties to annex into the City to process future land use applications and building permits through the City.

The final property proposed for annexation is a vacant .34-acre Lot of Record (Tax Lot 7600) located on SE Valley View Terrace, which currently has a Clackamas County plan designation/zone of "Urban Low Density Residential" (R-10). With the approval of this annexation Tax Lot 7600 would convert to a City plan designation/zoning district of "Low Density Residential" (R-10).

This proposed annexation complies with the present agreements the City has with various urban service providers. All of the subject properties are currently located within Clackamas County Service District #1 (CCSD #1), which provides sanitary sewer and stormwater management services to the City and other urbanized areas of Clackamas County. Three of the four subject properties are provided water service by Sunrise Water Authority (SWA), one of the City's service providers of potable water. SWA will continue to provide water services to these properties subsequent to the approval of this annexation. The remaining property, Tax Lot 100, is currently provided water service by Clackamas River Water (CRW), also one of the City's service providers of potable water. The City is currently working with CRW to establish an urban service agreement, and although the city does not currently have an urban service agreement with CRW, CRW will continue to provide Tax Lot 100 with water service subsequent to the approval of this annexation. Also subsequent to the approval of this annexation, the owners of the subject properties will continue to be provided street lighting services by Clackamas County Service District #5 (CCSD #5). The subject properties are also currently within the North Clackamas Parks and Recreation District (NCPRD) and would continue to be with the approval of this annexation proposal. The subject properties will need to be removed from the Clackamas County Enhanced Law Enforcement District and will be provided law enforcement services by the Happy Valley Police Department. Also, the subject properties are within Clackamas Fire District #1 (CFD #1). CFD #1 provides the subject properties with fire protection and will continue to provide this service following the approval of this annexation.

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

The Metro Urban Growth Management Functional Plan (UGMFP) contains population and household growth figures for each jurisdiction in the region, including the City of Happy Valley. These figures should be accommodated over the next 20 years. The approval of this annexation request will work to provide housing and employment opportunities to current and future residents of the City as specified in the functional plan.

II. FINDINGS OF FACT

STATEWIDE PLANNING GOALS (DLCD)

"Goal 1: Citizen Involvement (660-015-0000(1))
Goal 1 specifies that each city adopt a program for citizen involvement that clearly defines the procedures by which the general public will be involved in the ongoing land-use planning process. This program shall provide for continuity of citizen participation and of information that enables citizens to identify and comprehend the issues.

Response:

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

Goal2: Land Use Planning (660-015-0000(2))
Goal 2 specifies the need to establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Response:

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

Goal 9: Economic Development (660-015-0000(9))
Goal 9 specifies that each city throughout the state must provide adequate opportunities for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.
Response:

The subject properties are located within an area that has already been comprehensively planned for by Clackamas County. One of the subject properties, Tax Lot 100, currently has a Clackamas County plan designation/zone of I-2, which would convert to a City plan designation/zone of IC. This zone allows for Tax Lot 100 to remain as a commercial/light industrial use that would provide employment opportunities to residents of the City and urbanized Clackamas County. The proposed annexation meets the City's Comprehensive Plan policies pertaining to Goal 9 and the UGMFP (see Compliance with Regional Goals). Therefore, this criterion is satisfied.

Goal 10: Housing (660-015-0000(10))
Goal 10 specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing. It requires each city to inventory its buildable lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.

Response:

The subject properties are located within an area that has already been comprehensively planned for by Clackamas County. The proposed annexation will provide additional lots for residential construction within the City that would be located near areas that are currently utilized for residential purposes and public parks. The annexation is compliant with the City's Comprehensive Plan goals and policies pertaining to Goal 10 and the UGMFP (see Compliance with Regional Goals) and therefore, this criterion has been satisfied.

Goal 11: Public Facilities and Services ((660-015-0000(11))
Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that the public services should be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs.

Response:

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

Clackamas County has provided the comprehensive planning for public services in the area of the subject properties. Prior to the installation of infrastructure related to public services such as sanitary sewer, stormwater management, potable water, and transportation systems Clackamas County and their service providers provided analysis as to how the subject properties (along with other adjacent properties) would best be served by public services.

If the proposed annexation is approved, the subject properties will continue to be provided public services by many of the same agencies that currently serve the annexation area. The subject properties will continue to be provided sanitary sewer and stormwater management services by CCSD #1. Fire protection will continue to be provided to the subject properties by CFD #1. Also, CCSD #5 will continue to administer street lighting to the subject properties.

Three of the four subject properties are provided water service by, one of the City's service providers of potable water. SWA will continue to provide water services to these properties subsequent to the approval of this annexation. The remaining property, Tax Lot 100, is provided water service by CRW, also one of the City's service providers of potable water. CRW will continue to provide Tax Lot 100 with water service subsequent to this annexation. Therefore, this criterion is satisfied.

Goal 12: Transportation ((660-015-0000(12))
Goal 12 calls for the provision of "a safe, convenient and economic transportation system." It asks for communities to address the needs of the "transportation disadvantaged.

Response:

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

Goal 14: Urbanization ((660-015-0000(14))
Goal 14 requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an "urban growth boundary' (UGB) to "identify and separate urbanizable land from rural land." It specifies seven factors that must be considered in drawing up a UGB. It also lists four criteria to be applied when undeveloped land within a UGB is to be converted to urban uses."

Response:

The Happy Valley Comprehensive Plan (1984) and East Happy Valley Comprehensive Plan Update (2009) established a UGB based on the seven criteria outlined in Goal 14. UGB expansions are also regulated regionally through the Metro Regional Framework Plan and UGMFP. The Regional Framework Plan stipulates that cities plan for growth and utilize available land in a manner that is consistent with the regional goals contained in the plan. Through the legislative process, the City is proposing to apply city zoning designations to the subject properties that are equivalent to the existing Clackamas County zoning designation, to be consistent with the existing Clackamas County Comprehensive Plan. The Clackamas County Comprehensive Plan was established in compliance with Goal 14. Therefore, this criterion is satisfied.

Oregon Revised Statues (ORS)

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

Response:

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

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

Response:

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

REGIONAL LAND USE REQUIREMENT

"Metro Code 3.09.045 – Expedited Decisions

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

Response:

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

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

Response:

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

(c) At least seven days prior to the date of decision the city or Metro shall make available to the public a report that includes the following information:

(1) The extent to which urban services are available to serve the affected territory, including any extra-territorial extensions of service;

(2) Whether the proposed boundary change will result in the withdrawal of the affected territory from the legal boundary of any necessary party; and

(3) The proposed effective date of the boundary change.

Response:

A brief report, addressing the applicable criteria in Section 3.09.045 was available to the public on Monday, June 24, 2013, this criterion has been satisfied.

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

Response:

The proposed annexation is consistent with ORS 195.065. As stated above, the subject properties would generally remain within service districts already serving the annexation areas. All of the subject properties are currently located within CCSD #1, which provides sanitary sewer and stormwater management services to the City and other urbanized areas of Clackamas County. Three of the four subject properties are provided water service by SWA, one of the City's service providers of potable water. SWA will continue to provide water services to these properties subsequent to the approval of this annexation. The remaining property, Tax Lot 100, is currently provided water service by CRW, also one of the City's service providers of potable water. The City is currently working with CRW to establish an urban service agreement, and although the city does not currently have an urban service agreement with CRW, CRW will continue to provide Tax Lot 100 with water service subsequent to the approval of this annexation. The subject properties are also currently within the NCPRD and would continue to be with the approval of this annexation proposal. The subject properties will need to be removed from the Clackamas County Enhanced Law Enforcement District and will be provided law enforcement services by the Happy Valley Police Department. Also, the subject properties are within CFD #1. CFD #1 provides the subject properties with fire protection and will continue to provide this service following the approval of this annexation. This criterion has been satisfied.

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

Response:

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

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

Response:

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

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

Response:

The proposed annexation would not interfere with the provision, quality, or quantity of public facilities and services. The subject properties are located in areas where urban services have already been installed. This criterion has been satisfied.

(E) Any applicable comprehensive plan; and

Although a specific Comprehensive Plan does not exist for the subject properties outside of the current Clackamas County Comprehensive Plan, if annexed, the subject properties will be subject to the City's overall Comprehensive Plan, including all relevant policies. Therefore, this criterion is satisfied.

(2) Consider whether the boundary change would:
(A) Promote the timely, orderly and economic provision of public facilities and services;
(B) Affect the quality and quantity of urban services; and
(C) Eliminate or avoid unnecessary duplication of facilities or services.

Response:

The proposed annexation would not interfere with the provision, quality, or quantity of public facilities and services. The subject properties are located in an area where urban services have already been installed. The criterion has been satisfied.

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

Response:

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

CITY OF HAPPY VALLEY COMPREHENSIVE PLAN

Comprehensive Plan Policies

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

Response:

The subject properties are located where urban services are currently available. In fact, the subject properties currently are served by all Level 1 services. Therefore, this criterion is satisfied.

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

Response:

The subject properties are located within an area that has been comprehensively planned for by Clackamas County. This plan was created with preservation and enhancement of physical resources as a goal. Therefore, this criterion is satisfied.

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

Response:

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

CITY OF HAPPY VALLEY MUNICIPAL CODE

Happy Valley Land Development Code

"16.67Comprehensive Plan Map, Specific Area Plans, Land Use District Map and Text Amendments
[...]
16.67.070 Annexations.

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

Table 16.67.070-1 Land Designation Conversion Table

Clackamas County Zone	*City of Happy Valley Zone*
Urban/Rural Residential	
R-2.5	*SFA*
R-5	*R-5*
R-7	*R-7*
R-8.5	*R-8.5*
R-10	*R-10*
R-15	*R-15*
R-20	*R-20*
MR-1	*MUR-M1*
MR-2	*MUR-M2*
HDR	*MUR-M3*
RA-2	*R-15*

FU-10	*
Natural Resources	
EFU	*
Commercial	
NC	*MUE*
C-2	*MCC*
C-3	*MCC*
RCC	*MCC*
RCO	*MUC*
OC	*CCC*
RCHD	*MUR-M2*
OA	*MUC*
PMU-6	*RCMU*
Industrial	
I-2	*IC*
I-3	*IC*
BP	*EC*
Special Districts	
OSM	*IPU*
Sunnyside Village	
VR-4/5	*R-5*
VR-5/7	*R-5*
VCS	*IPU*
VA	*MUR-M1*
VO	*VO*
VTH	*VTH*
**Annexation of these zoning districts would require the creation of a new Comprehensive Plan designation/zoning district within the City that would be determined by the Planning Official based on surrounding Comprehensive Plan designations/zoning districts and a Transportation Planning Rule-compliant Traffic Impact Analysis.*	

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

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

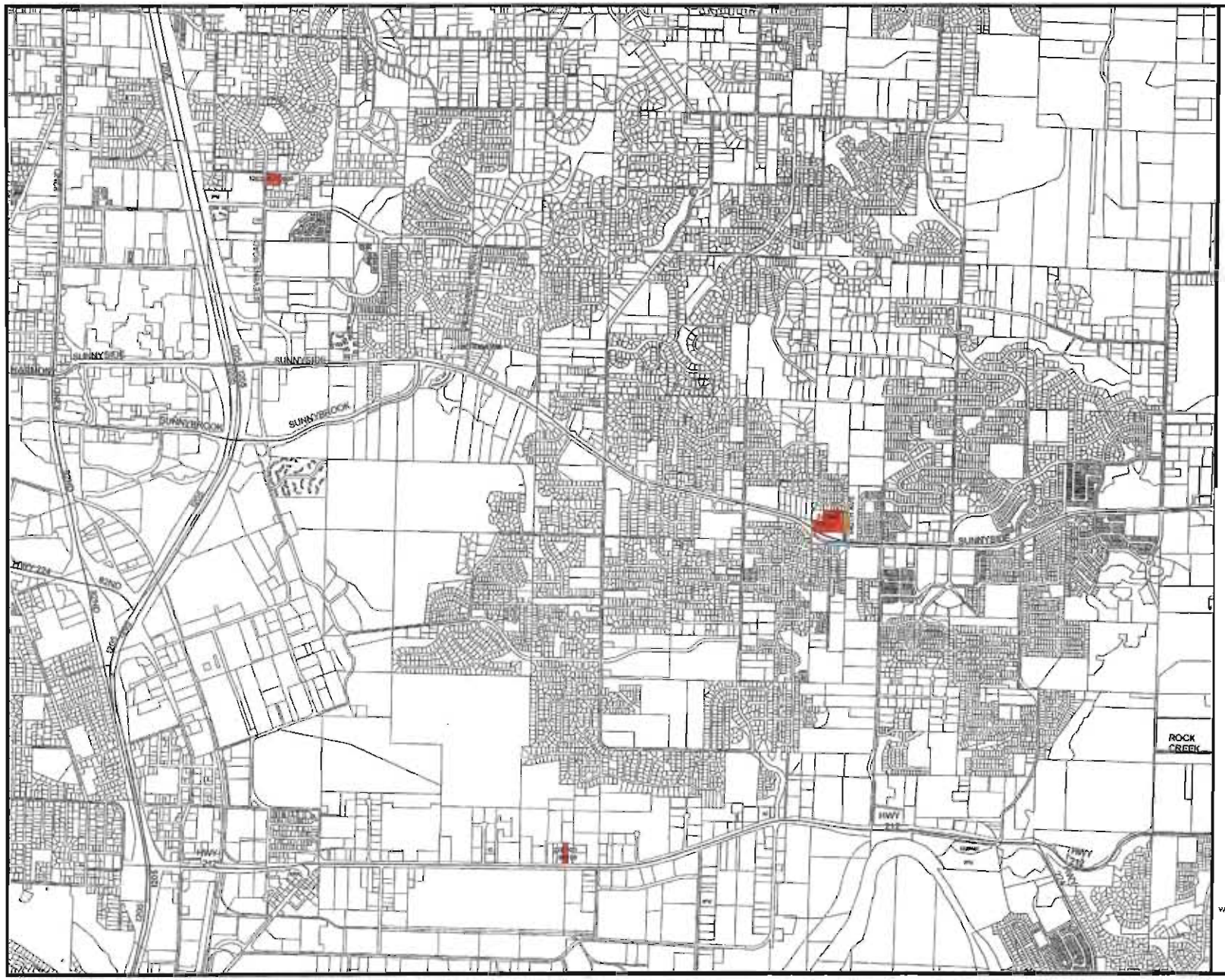
D. For any proposed deannexation from the City, application shall be made directly to the City of Happy Valley on the appropriate forms and accompanied with the required fee. Upon receipt of a copy of the form the City shall schedule a public hearing before the Planning Commission, which shall make a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

Response:

Pursuant to Subsection "B" above, the properties associated with this annexation proposal will receive an equivalent city zoning designation per the city's "conversion matrix". As a result, if the proposed annexation is approved, an ordinance (Ordinance Number 438) to amend the City's Comprehensive Plan Map/Zoning Map will be passed that reflects the zoning conversion of the subject properties from their current Clackamas County designations/zones to City of Happy Valley designations/zones. These criteria have been satisfied.

III. CONCLUSION AND RECOMMENDATION:

Staff has determined that the above findings demonstrate that the proposed annexation and zoning conversion of the subject properties satisfy the requirements of the Statewide Planning Goals, ORS, Metro Code 3.09, and City of Happy Valley Comprehensive Plan and LDC. **Staff, therefore, recommends that the City Council approve application ANN-03-13/LDC-06-13/CPA-05-13.**



City of Happy Valley

Taxlots of Interest

Taxlots of Interest

City Limits

Exhibit A

City of Happy Valley

	A	B	C	D	E	F	G	H	I	J	K	L	M
1	**ANN-03-13**	**ANN-03-13**											
2	PROPERTY OWNER	TAX MAP/LOT	SITE ADDRESS	CITY	MAILING ADDR	STATE	ZIP	ZONING	ACRES	ASSESED VALUE	# DU	# PEOPLE	PROPOSED ZONE
3													
4	WILSON INVESTMENT GROUP LLC	12E33AD00800	NO SITUS	CLACKAMAS	PO BOX 422	OR	97015	R7	1.25	60,898.00			
5	EFECAN MUSTAFA NUR	22E02A 02100	13711 SE SUNNYSIDE RD	PORTLAND	PO BOX 66957	OR	97290	R7	3.99	169,513.00			
6													
7	ANO LLC	22E10D 00100	11951 SE HWY 212	CLACKAMAS	3000 JOHN DEERE RD	OR	97015	I2	0.85	331,596.00			
8			11955 SE HWY 212		TOANO , VA 23168								
9			11975 SE HWY 212										
10	Michael & Susan Woods	12E34DC07600	NO SITUS	OAK GROVE	PO BOX 68892	OR	97268	R10	0.34	38,374.00			
11													
12	Donn Rasch	22E02BA06707	12782 SE 130TH AVE	Damascus	15626 SE 202ND AVE	OR	97089	R7	0.24	175,753.00			
13													
14													
15													
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21													
22													
23													
24													
25													
26													
27													
28													
29													
30													
31													
32	*** Property Owner removed from annexation per owners request - 5-1-13***												
33													
34													
35													
36													
37													
38													
39									6.67	776,134.00			

Exhibit B

City of Happy Valley

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

PETITION TO ANNEX

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

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

The consent for annexation is for the following described property:

13711 SUNNY SIDE ROAD Happy Valley 97086
Street Address of Property *(if address has been assigned)*

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

22E02A02100
Tax Map and Tax Lot Number

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

Signature	Owner Initial	Voter Initial	Date
[signature]	NB	NB	25-2-2013

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] 28-2-2013
Signature Date Signature Date

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

Number of housing unit on above lot: X
Types of housing units: X Single family ___ Multi-family ___ Mobile home or trailer
Number of people occupying these units: 7

S:\ECONOMIC AND COMMUNITY DEVELOPMENT\Administration\Plan Forms\Applications\Annex-de-annex\Petition to annex.doc

Exhibit C

City of Happy Valley

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

PETITION TO ANNEX

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

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

The consent for annexation is for the following described property:

NO SITUS
Street Address of Property *(if address has been assigned)*

Lot 7600
Legal Description (Subdivision Name, Lot number(s))

12E-34DC: Lot 7600
Tax Map and Tax Lot Number

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

Signature	Owner Initial	Voter Initial	Date
Michael S Woods	MSW	MSW	4-11-13
Susan K Woods	SKW	SKW	4-11-13

Other Authorized Signature

Owner Initial	Voter Initial	Date

Home Phone	Work Phone
503-698-4506	503-475-8065

Street Address

PO BOX 68892
Mailing Address

Portland, OR 97268
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 _____.

Michael S Woods — Signature — Date

Susan K Woods 4-11-13 — Signature — Date

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

Number of housing unit on above lot: 0
Types of housing units: ___ Single family ___ Multi-family ___ Mobile home or trailer
Number of people occupying these units: _____

City of Happy Valley

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

PETITION TO ANNEX

RECEIVED BY
FEB 20 2013
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 (Subdivision Name, Lot number(s))

Tax Lot 800, Map 1 2E 33AD NE 1/4 Section 33, T.1S, R.2E, WM, Clackamas County, OR
Tax Map and Tax Lot Number

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

Signature	Owner Initial	Voter Initial	Date
			2/20/13

Other Authorized Signature

20442 S. Dirlewood — 503-631-7044 — 503-317-2509
Street Address — Home Phone — Work Phone

P.O. Box 1435
Mailing Address

Oregon City, Or. 97045
City, State and Zip Code

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

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

___ Indefinitely, or until _____

Signature — Date 2/20/13 — Signature — Date

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

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

City of Happy Valley

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

PETITION TO ANNEX

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

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

The consent for annexation is for the following described property:

0.85 ACRES FRONTING HIGHWAY 212
Street Address of Property *(if address has been assigned)*
11951/11955/11975 SE HIGHWAY 212, CLACKAMAS, OR 97015
Legal Description (Subdivision Name, Lot number(s))

SE 1/4 SEC. 10, T2S, R2E WM, TL 00100
Tax Map and Tax Lot Number

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

Signature	Owner Initial	Voter Initial	Date
	TS		3-4-13

Other Authorized Signature

3000 John Deere Rd
Street Address

Home Phone

757-566-7122
Work Phone

Mailing Address

Toano, VA 23168
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
X **indefinitely, or until** _____.

3-4-13
Signature Date Signature Date

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

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

ORDINANCE NO. 438
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, AMENDING OFFICIAL MAP EXHIBIT 11 OF THE CITY OF HAPPY VALLEY LAND DEVELOPMENT ORDINANCE NO. 97, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to ORS 222.125 the City of Happy Valley received petitions signed by 100 percent of the owners of 100 percent of the properties with 100 percent of the assessed value of territory requesting annexation (ANN-03-13/LDC-06-13/CPA-05-13); and

WHEREAS, the proposed annexation territory consists of four tax lots totaling 6.43 acres of land adjacent to existing city boundaries; and

WHEREAS, the specific tax lots to be annexed include:

12E33AD00800, 22E02A 02100, 22E10D 00100, 12E34DC07600; and

WHEREAS, the City provided notice that the City Council would consider the annexation petitions, consistent with the applicable notice requirements of (1) Section 16.60.050 of the City's Land Development Code, (2) applicable provisions of Metro Code Chapter 3.09, and (3) applicable state law requirements; and

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

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

WHEREAS, the City Council considered the proposed annexation at its regularly scheduled City Council meeting on July 2, 2013; and

Now, therefore, based on the foregoing,

THE CITY OF HAPPY VALLEY ORDAINS AS FOLLOWS:

Section 1. The City Council declares the territory described in Exhibit A, and depicted in Exhibit B is annexed to Happy Valley effective July 2, 2013.

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

12E33AD00800 – Low Density Residential (R-7)
12E34DC07600 – Low Density Residential (R-10)
22E02A 02100 – Low Density Residential (R-7)
22E10D 00100 – Industrial Campus (I-C)

Section 3. The City Council adopts the subject annexation application (ANN-03-13/LDC-06-13/CPA-05-13) and the associated Staff Report to the City Council dated July 2, 2013.

Section 4. The territory described in Exhibit A, and depicted in Exhibit B is hereby withdrawn from the Clackamas County Enhanced Law Enforcement District effective July 2, 2013.

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

Section 6. The City Recorder is directed to:

1. File a copy of this ordinance and the statements of consent to annexation consistent with ORS 222.180 with the Secretary of State and Department of Revenue;

2. Mail a copy of this ordinance to Metro including the required fee consistent with Metro Code Chapter 3.09.030(e); and

3. Mail a copy of this ordinance to Clackamas County and any other necessary parties consistent with Metro Code Chapter 3.09.030(e).

Section 8. An emergency is declared to exist and as provided by Section 17 of the Happy Valley City Charter this ordinance takes effect on July 2, 2013.

COUNCIL APPROVAL AND UNANIMOUS ADOPTION AT ONE MEETING: [July 2, 2013]

_____
Lori DeRemer
Mayor

Adoption and date attested by:

_____
Marylee Walden
City Recorder

ENGINEERING PLANNING
FORESTRY
13910 S.W. Galbreath Dr., Suite 100
Sherwood, Oregon 97140
Phone: (503) 925-8799
Fax: (503) 925-8969

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SALEM, OREGON
VANCOUVER, WASHINGTON
www.aks-eng.com

Job #2582

EXHIBIT A

Legal Description
Annexation Parcel

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

Beginning at the most northerly corner of Lot 4 of the plat "J. Charles Downs"; thence along the northwest line of said plat North 25°30'00" East 11.95 feet to the northeast corner of Document Number 2005-125769; thence along the north line of said Document and the westerly extension thereof North 79°02'50" West 374.06 feet to the westerly right-of-way line of SE Valley View Terrace (42.25 feet from centerline); thence along said right-of-way line South 06°56'00" West 127.53 feet to the southeast corner of Lot 15 of the plat "Valley View Estates No. 2"; thence South 88°55'53" East 5.03 feet to a point on the westerly right-of-way line of SE Valley View Terrace (37.25 feet from centerline); thence along said right-of-way line South 06°56'00" West 125.03 feet a point; thence North 88°55'53" West 5.02 feet to a point on the westerly right-of-way line of SE Valley View Terrace (42.25 feet from centerline); thence along said right-of-way line and the southerly extension thereof South 06°56'00" West 338.20 feet, more or less, to the southerly right-of-way line of Sunnyside Road (56.00 feet from centerline); thence along said right-of-way line along a non-tangent curve to the right with a Radius of 3,224.00 feet, a Delta of 01°08'18", a Length of 64.05 feet and a Chord of South 72°40'16" East 64.04 feet to the City of Happy Valley city limits; thence along said city limits and the southerly extension of the easterly right-of-way line of SE Valley View Terrace (20.75 feet from centerline) North 06°56'00" East 312.95 feet, more or less, to a point on the south line of Document Number 1990-049293; thence along said south line North 79°30'00" West 8.02 feet to a point being on the easterly right-of-way line of Valley View Terrace (12.75 feet from centerline); thence along said right-of-way line North 06°56'00" East 269.00 feet to the northwest corner of Document Number 2005-091401; thence along the north line of said Document South 79°02'50" East 160.00 feet to a point; thence along the east line of said Document South 06°56'00" West 63.44 feet to a point; thence along the north line of Document Number 72-33053 South 79°14'50" East 133.09 feet to a point on the west line of Lot 4 of the plat "J. Charles Downs"; thence along said west line North 25°30'00" East 69.03 feet to the Point of Beginning.

The above described tract of land contains 1.12 acres, more or less.

5/22/2013

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS
RENEWS: 6/30/14

Exhibit A

ENGINEERING PLANNING
FORESTRY
13910 S.W. Galbreath Dr., Suite 100
Sherwood, Oregon 97140
Phone: (503) 925-8799
Fax: (503) 925-8969

AKS ENGINEERING & FORESTRY

LANDSCAPE ARCHITECTURE
SURVEYING
AKS Group of Companies:
SHERWOOD, OREGON
SALEM, OREGON
VANCOUVER, WASHINGTON
www.aks-eng.com

Job #2582

EXHIBIT A

Legal Description
Annexation Parcel

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

Beginning at the southeast corner of Lot 1 of the plat "Hampshire" and on the westerly right-of-way line of SE 140th Avenue (20.00 feet from centerline); thence along the southerly line of said Lot 1 North 87°42'26" West 20.01 feet to the northeast corner of Document Number 2004-028030 and the True Point of Beginning; thence along the southerly line of the plat "Hampshire" North 88°20'47" West 379.25 feet to the northeast corner of Document Number 2003-156663; thence along the east line of said Document South 01°13'59" West 198.53 feet to the southeast corner of said Document; thence along the south line of said Document North 88°19'28" West 220.00 feet to a point on the northerly right-of-way line of Sunnyside Road (variable width from centerline); thence along said right-of-way line and the City of Happy Valley city limits South 74°29'33" East 33.98 feet to a point; thence continuing along said right-of-way line and city limits South 00°58'05" West 54.36 feet to a point; thence South 58°29'29" East 130.20 feet to a point; thence South 29°05'49" West 29.53 feet to a point; thence South 63°05'14" East 121.44 feet to a point; thence South 89°34'50" East 356.26 feet to the westerly right-of-way line of SE 140th Avenue (40.00 feet from centerline); thence along said westerly right-of-way line North 01°29'01" East 396.10 feet to the True Point of Beginning.

The above described tract of land contains 4.03 acres, more or less.

5/22/2013

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS
RENEWS: 6/30/14

ENGINEERING PLANNING
FORESTRY
13910 S.W. Galbreath Dr., Suite 100
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LANDSCAPE ARCHITECTURE
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AKS Group of Companies:
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VANCOUVER, WASHINGTON
www.aks-eng.com

Job #2582

EXHIBIT A

Legal Description
Annexation Parcel

A tract of land located in the Southeast One-Quarter of Section 10, Township 2 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon and being more particularly described as follows:

Beginning at the southwest corner of Parcel 3 of Partition Plat No. 1998-092; thence along the west line of said Parcel 3 North 00°14'47" East 380.76 feet to the northwest corner of said Parcel 3; thence along the north line of Document Number 96-091355 South 89°51'02" West 96.74 feet to a point; thence along the west line of said Document South 00°14'47" West 380.76 feet to a point on the northerly right-of-way line of State Highway 212 (60.00 feet from centerline); thence along said right-of-way line and the City of Happy Valley city limits North 89°50'43" East 96.74 feet to the Point of Beginning.

The above described tract of land contains 36,833 square feet, more or less.

5/22/2013

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS
RENEWS: 6/30/14

ENGINEERING PLANNING
FORESTRY
13910 S.W. Galbreath Dr., Suite 100
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LANDSCAPE ARCHITECTURE
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AKS Group of Companies:
SHERWOOD, OREGON
SALEM, OREGON
VANCOUVER, WASHINGTON
www.aks-eng.com

Job #2582

EXHIBIT A

Legal Description
Annexation Parcel

A tract of land located in the Northeast One-Quarter of Section 33, Township 1 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon and being more particularly described as follows:

Beginning at the northwest corner of Lot 1 of the plat "Top O'Scott Estates", said point also being on the easterly right-of-way line of Stevens Road (35.00 feet from centerline); thence along said right-of-way line South 89°56'41" West 15.00 feet to a point; thence continuing along said right-of-way line (20.00 feet from centerline) North 01°22'07" East 102.00 feet to the southwest corner of Document Number 78-19721; thence along the south line of said Document North 89°56'41" East 260.31 feet to the southeast corner thereof; thence along the east line of said Document North 01°17'06" East 215.19 feet to the southerly right-of-way line of Hillcrest Road (20.00 feet from centerline); thence along said right-of-way line North 89°47'04" West 323.64 feet to the northerly extension of the westerly right-of-way line of Stevens Road (43.65 feet from centerline); thence along said right-of-way line and northerly extension thereof South 01°22'09" West 125.47 feet to a point; thence continuing along said right-of-way along a curve to the left with a Radius of 430.00 feet, a Delta of 10°36'02", a Length of 79.56 feet and a Chord of South 03°55'52" East 79.44 feet to a point; thence along a curve to the right with a Radius of 370.00 feet, a Delta of 10°36'02", a Length of 68.46 feet and a Chord of South 03°55'52" East 68.36 feet to a point; thence South 01°22'09" West 314.36 feet, more or less, to the northerly right-of-way line of SE Causey Avenue (35.00 feet from centerline) and the City of Happy Valley city limits; thence leaving said westerly right-of-way line and along said City of Happy Valley city limits South 86°49'25" East 65.03 feet to the easterly right-of-way line of Stevens Road (35.00 feet from centerline); thence along said right-of-way line North 01°22'09" East 272.28 feet, more or less, to the Point of Beginning.

The above described tract of land contains 2.12 acres, more or less.

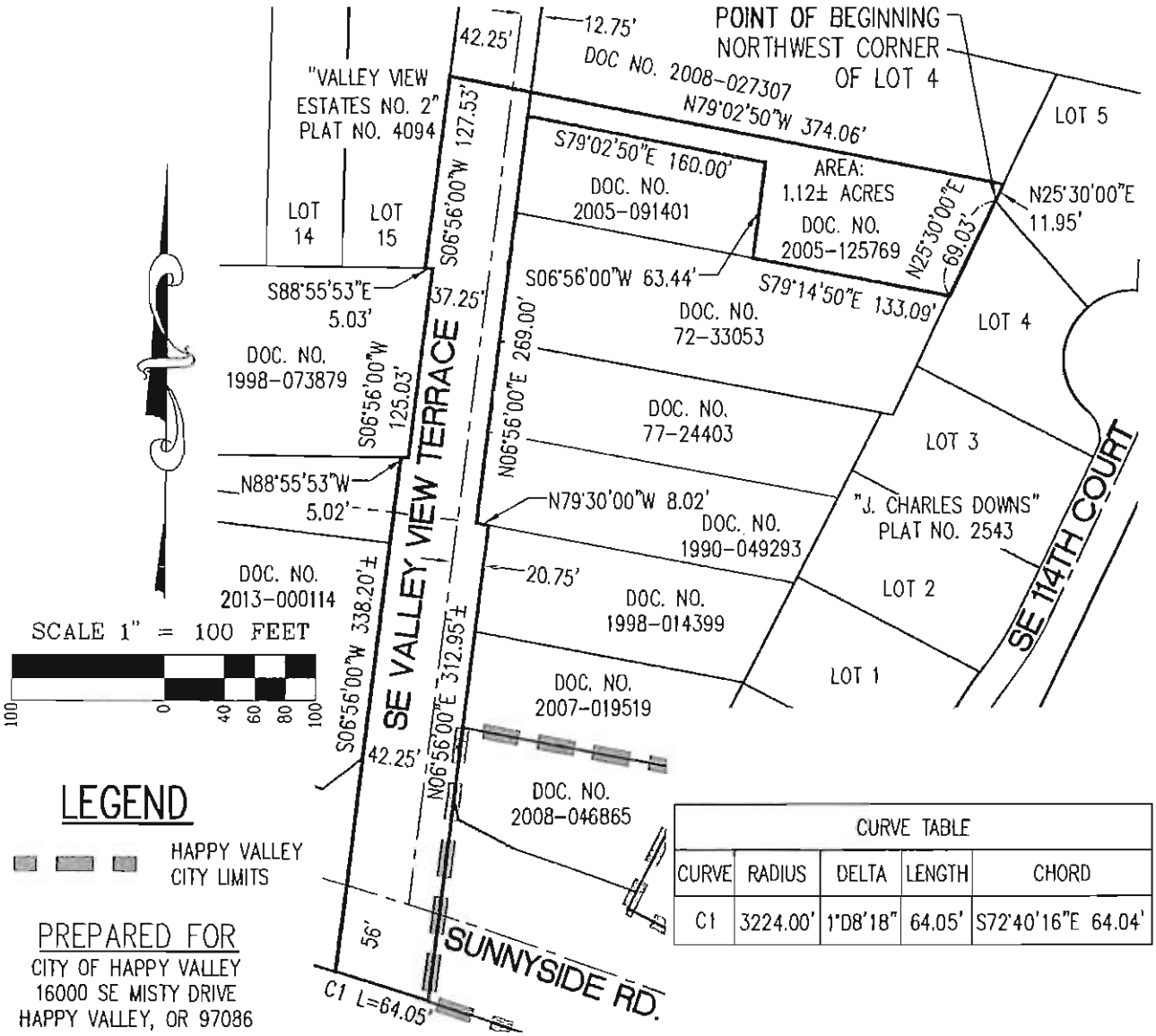
6/10/2013

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS
RENEWS: 6/30/14

EXHIBIT B

A TRACT OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 1 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON



CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	3224.00'	1°08'18"	64.05'	S72°40'16"E 64.04'

PREPARED FOR
CITY OF HAPPY VALLEY
16000 SE MISTY DRIVE
HAPPY VALLEY, OR 97086
5/22/13

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
JANUARY 9, 2007
NICK WHITE
70652LS
RENEWS: 6/30/14

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

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FORESTRY · SURVEYING

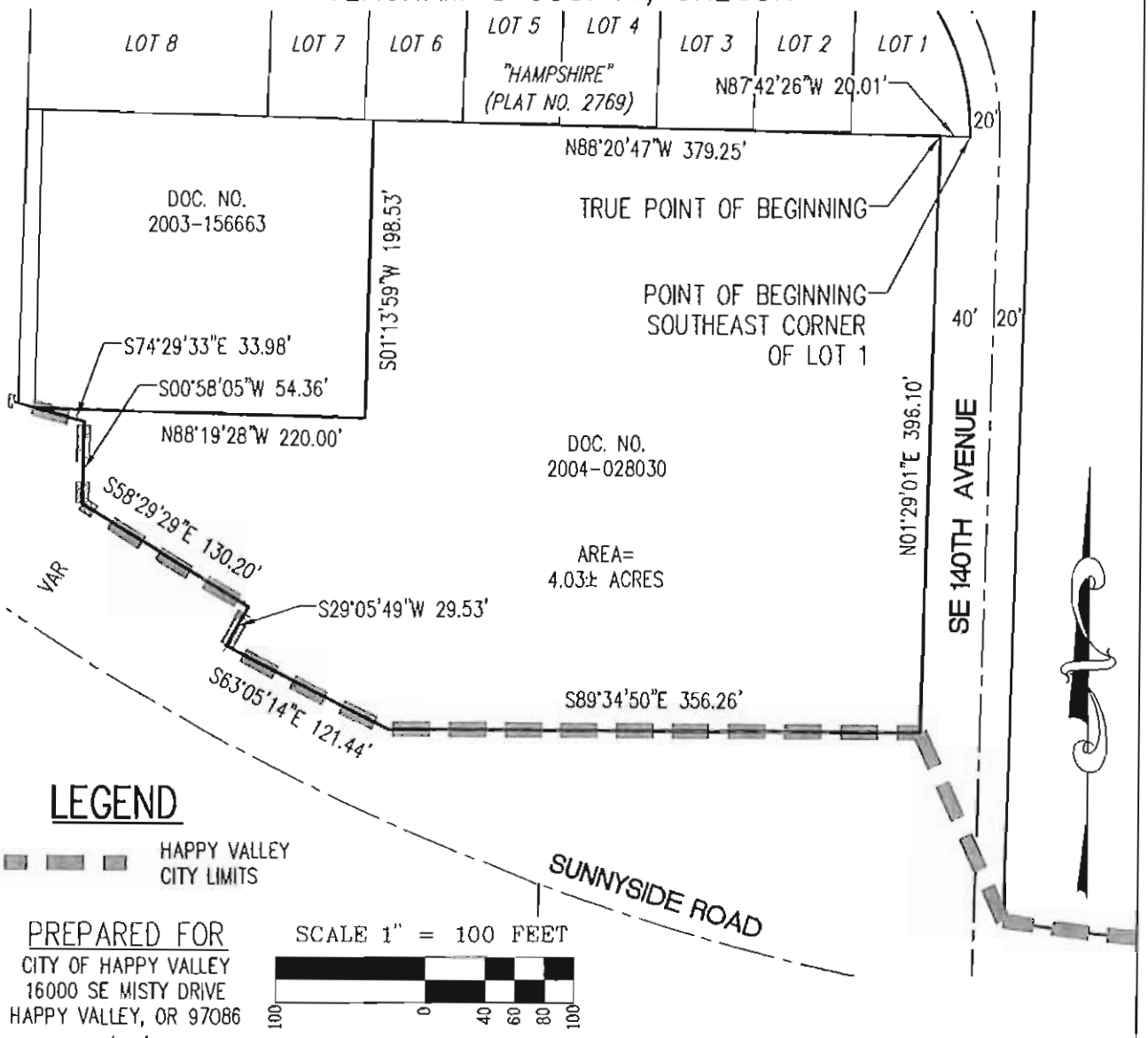
AKS ENGINEERING & FORESTRY

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

Exhibit B

EXHIBIT B

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



PREPARED FOR
CITY OF HAPPY VALLEY
16000 SE MISTY DRIVE
HAPPY VALLEY, OR 97086
5/22/13

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
JANUARY 9, 2007
NICK WHITE
70652LS
RENEWS: 6/30/14

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

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FORESTRY · SURVEYING

AKS ENGINEERING & FORESTRY

LICENSED IN OR & WA
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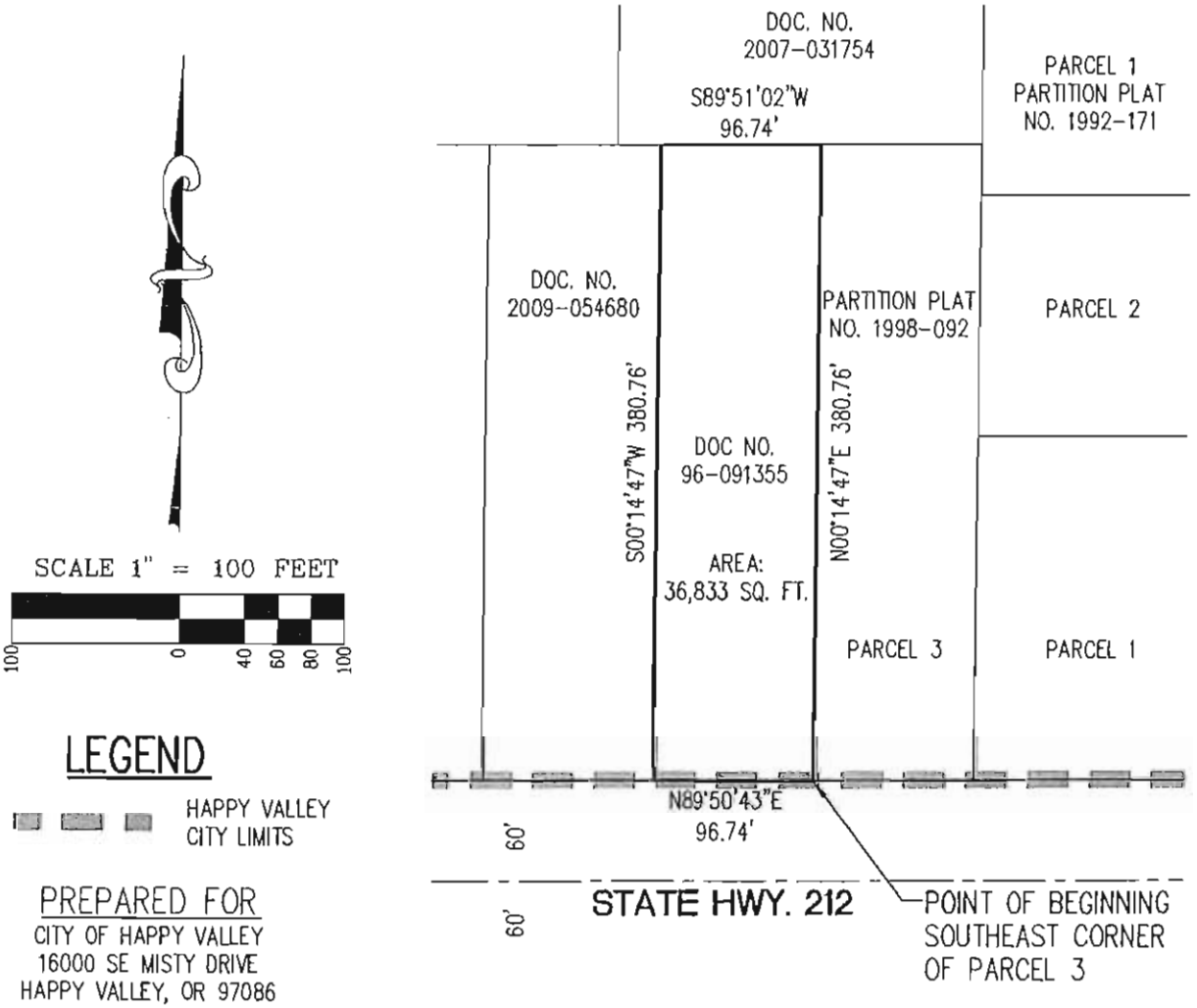
FAX: (503) 925-8969
OFFICES LOCATED IN REDMOND, OR & VANCOUVER, WA

EXHIBIT B

A TRACT OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 2 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON



SCALE 1" = 100 FEET

100 0 40 60 80 100

LEGEND

HAPPY VALLEY CITY LIMITS

PREPARED FOR
CITY OF HAPPY VALLEY
16000 SE MISTY DRIVE
HAPPY VALLEY, OR 97086
5/22/13

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/14

JOB NAME: COHV ANNEX	
JOB NUMBER: 2582	
DRAWN BY: MEB	
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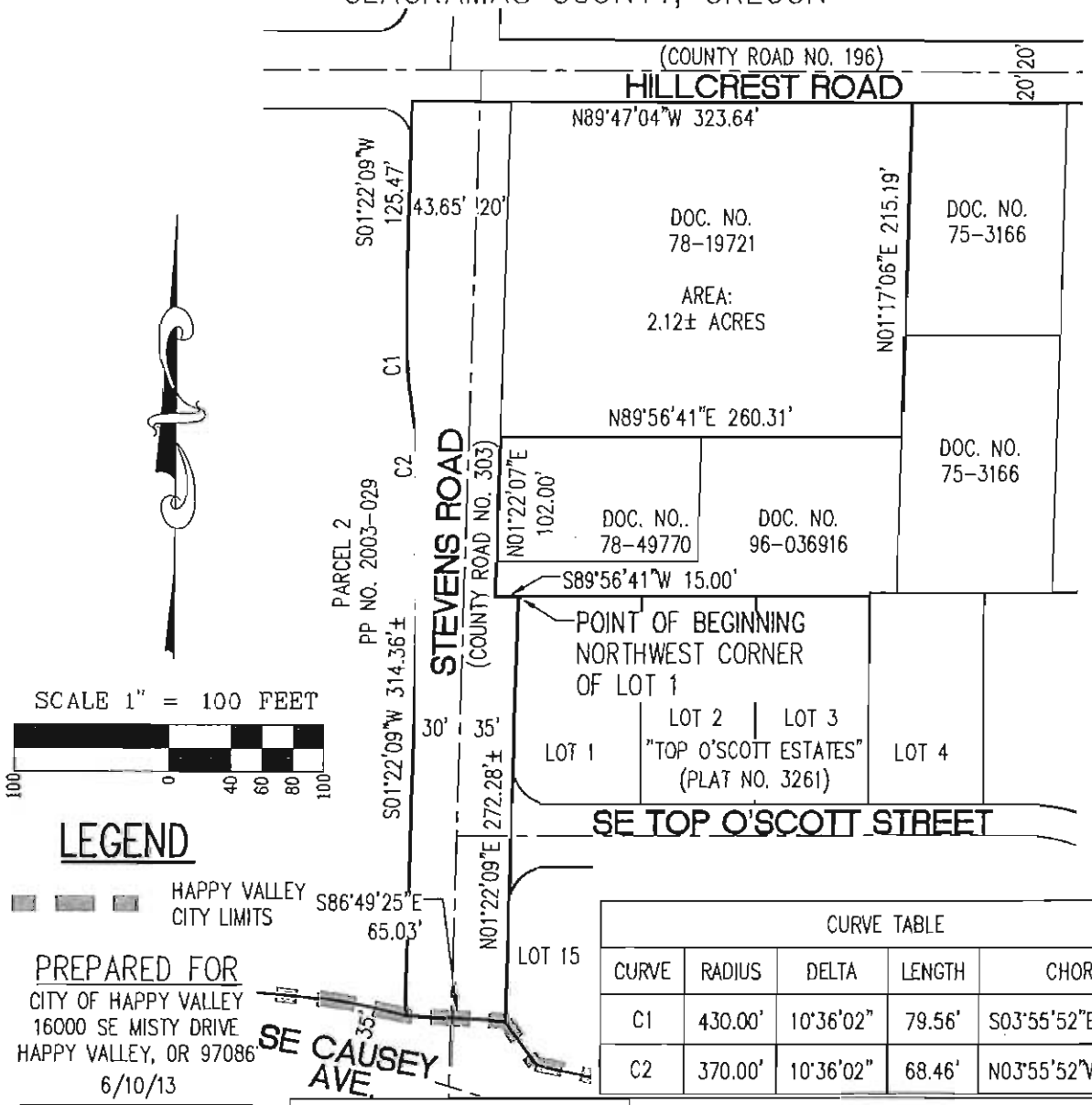
PHONE: (503) 925-8799
FAX: (503) 925-8969

OFFICES LOCATED IN REDMOND, OR & VANCOUVER, WA

EXHIBIT B

A TRACT OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON



CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	430.00'	10°36'02"	79.56'	S03°55'52"E 79.44'
C2	370.00'	10°36'02"	68.46'	N03°55'52"W 68.36'

PREPARED FOR
CITY OF HAPPY VALLEY
16000 SE MISTY DRIVE
HAPPY VALLEY, OR 97086
6/10/13

REGISTERED PROFESSIONAL LAND SURVEYOR
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JANUARY 9, 2007
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DRAWN BY: MEB
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6000 SE MISTY DRIVE
Y VALLEY, OREGON 97086

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DEPT OF
JUL 10 2013
LAND CONSERVATION
AND DEVELOPMENT

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