



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

May 10, 2007

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of North Plains Plan Amendment
DLCD File Number 007-06 R



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: May 29, 2007

This amendment was submitted to DLCD for review 45 days 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 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.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Meg Fernekees, DLCD Regional Representative
Don Otterman, City of North Plains

<paa> ya/

FORM 2

DEPT OF

MAY 09 2007

LAND CONSERVATION AND DEVELOPMENT
DLCD 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

(See reverse side for submittal requirements)

Jurisdiction: NORTH PLAINS Local File No.: AN-06-0020
(If no number, use none)

Date of Adoption: MAY 7, 2007 Date Mailed: MAY 8, 2007
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 10/26/06

- Comprehensive Plan Text Amendment
- Comprehensive Plan Map Amendment
- Land Use Regulation Amendment
- Zoning Map Amendment
- New Land Use Regulation
- Other: ANNEXATION
(Please Specify Type of Action)

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

REQUEST TO ANNEX 24.33 ACRES TO THE CITY OF NORTH PLAINS
EAST EXPANSION AREA. VOTERS APPROVED ANNEXATION 3/13/07.
ORDINANCE ANNEXING PROPERTY WAS APPROVED BY COUNCIL ON
MAY 7, 2007

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

SAME

Plan Map Changed from : _____ to _____

Zone Map Changed from: _____ to _____

Location: WEST OF JACKSON SCHOOL ROAD
SOUTH OF WEST UNION RD. Acres Involved: 24.33

Specify Density: Previous: _____ New: _____

Applicable Statewide Planning Goals: _____

Was an Exception Adopted? Yes: _____ No:

DLCD File No.: 007-06 R (15659)

Did the Department of Land Conservation and Development receive a notice of Proposed Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing**. Yes: No:

If no, do the Statewide Planning Goals apply. Yes: No:

If no, did The Emergency Circumstances Require immediate adoption. Yes: No:

Affected State or Federal Agencies, Local Governments or Special Districts: CITY OF NORTH PLAINS, WASHINGTON COUNTY, CLEAN WATER SERVICES

Local Contact: DON OTTERMAN Area Code + Phone Number: 503-647-5555

Address: 31360 NW COMMERCIAL ST. City: NORTH PLAINS, OR

Zip Code+4: 97229 Email Address: don@northplains.org

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.

**ORDINANCE NO. 360
CITY OF NORTH PLAINS, OREGON**

**AN ORDINANCE ANNEXING TERRITORY INTO THE CITY CONSISTENT
WITH ORS CHAPTER 222, THE STATEWIDE PLANNING GOALS AND THE
NORTH PLAINS COMPREHENSIVE PLAN.**

WHEREAS, the City of North Plains received an application for annexation on October 20, 2006; and

WHEREAS, Pursuant to ORS 197.610, OAR Chapter 660-Division 18 and Senate Bill 543 notice of proposed amendment was mailed to DLCD on October 26, 2006.

WHEREAS, Sections 16.59.080 and 16.59.090 of the North Plains Zoning and Development Ordinance requires hearings by the Planning Commission and City Council for annexations; and

WHEREAS, the Planning Commission conducted a public hearing on the proposed annexation on December 13, 2006 and recommended to the City Council that the proposed annexation be approved; and

WHEREAS, the City Council conducted a public hearing and approved the proposed annexation on December 18, 2006, and passed Resolution 1356 approving the annexation for placement on the March 13, 2007 special election ballot; and

WHEREAS, under ORS 222.160 the City Council finds that a majority of the votes cast at the March 13, 2007 election were in favor of the proposed annexation,

NOW, THEREFORE, based on the following,

The City of North Plains ordains as follows:

Section 1. The City Council declares and proclaims that the territory described in Exhibit A and depicted in Exhibit B is annexed to the City of North Plains.

Section 2. The City Recorder is directed to:

A. File the following with the Secretary of State and Department of Revenue:

1. A copy of this Ordinance;

2. An abstract of the annexation vote showing the whole number of electors voting, the number of votes cast in favor of annexation, and the number of votes cast against annexation;

3. A copy of the land owner statement(s) of consent.

B. Mail a copy of this Ordinance to Washington County, to all service providers and to any other parties entitled to receive notice of its adoption.

Section 3. Pursuant to Chapter VIII of the North Plains Charter, this Ordinance shall take effect on the thirtieth day after its passage by the City Council.

INTRODUCED on the 16th day of April **AND ADOPTED** this 7th day of May, 2007.

CITY OF NORTH PLAINS, OREGON

By: Cheri Olson
Cheri Olson, Mayor

ATTEST:

By: Debbie Owens
Debbie Owens, City Recorder



Exhibit A

9755 SW Barnes Road, Suite 300
Portland, Oregon 97225
503.626.0455
Fax 503.526.0775

APRIL 24, 2006

LEGAL DESCRIPTION FOR
PROPOSED ANNEXATION AREA "1"
TO THE CITY OF NORTH PLAINS

PROJECT NO. 32992

EXHIBIT "A"

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

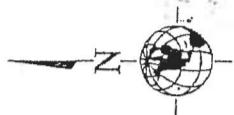
COMMENCING AT THE SOUTHWEST CORNER OF THE ANDERSON SMITH D.L.C. NO. 64 AND RUNNING ON THE SOUTH LINE OF SAID D.L.C. SOUTH 89°58'53" EAST, 3855.92 FEET; THENCE SOUTH 00°01'07" WEST, 30.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF N.W. WEST UNION ROAD (C.R. NO. 2496) AND ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING ON SAID SOUTH RIGHT-OF-WAY LINE (THE FOLLOWING TWO COURSES) SOUTH 89°58'53" EAST, 785.23 FEET; THENCE SOUTH 56°02'29" EAST, 746.21 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF N.W. JACKSON SCHOOL ROAD; THENCE ON SAID WESTERLY RIGHT-OF-WAY LINE SOUTH 00°10'16" WEST, 410.28 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE NORTH 89°58'53" WEST, 1070.41 FEET; THENCE NORTH 00°10'16" EAST, 100.00 FEET; THENCE NORTH 89°58'53" WEST, 510.00 FEET; THENCE NORTH 00°10'16" EAST, 305.00 FEET; THENCE SOUTH 89°58'53" EAST, 145.00 FEET; THENCE NORTH 00°10'16" EAST, 230.00 FEET; THENCE SOUTH 89°58'53" EAST, 30.00 FEET; THENCE NORTH 00°10'16" EAST, 191.91 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF N.W. WEST UNION ROAD AND THE POINT OF BEGINNING.

CONTAINING APPROXIMATELY 1,059,721 SQUARE FEET OR 24.33 ACRES.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS THE SOUTH LINE OF THE ANDERSON SMITH D.L.C. AND IS SHOWN AS SOUTH 89°58'53" EAST.



Exhibit B



T1N, R2W SEC.6 W.M.

JACKSON SCHOOL ROAD

S 00°10'16" W 410.28'

WEST UNION ROAD

S 56°02'29" E 746.21'

1070.41'

DOC.# 200047427

ANNEXATION AREA "1"
1,059,721 SQ. FT. OR
24.33 ACRES

CITY OF NORTH PLAINS

WASHINGTON COUNTY

N.W. WEST UNION ROAD

785.23'

S 89°58'53" E

N.W. 289th PLACE

S 00°01'07" W 30.00'

POINT OF BEGINNING

S 89°58'53" E 30.00'

POINT OF COMMENCEMENT
SOUTHWEST CORNER OF THE
ANDERSON SMITH DLC # 64
FOUND 3 1/2" BRASS DISK
IN CONCRETE

BASIS OF BEARINGS
S 89°58'53" E
3855.92

S 89°58'53" E 145.00'

N 89°58'53" W 510.00'

N 00°10'16" E 100.00'

N 00°10'16" E 191.91'

N 00°10'16" E 230.00'

N 00°10'16" E 305.00'

DRAWN BY: SMG		CHECKED BY: GPC			
LAST EDIT: 04/24/2008		APPROVED BY:			
PLOT DATE: 04/24/08					
DATE	BY	REV#	REVISION	CK'D	APPR.



0705 SW Barrow Road
Suite 300
Portland, Oregon 97295

PHONE: 503-255-0444
FAX: 503-255-0778
WWW: www.wahsurvey.com

POLYGON NW COMPANY
EXPANSION AREA "1"
NORTH PLAINS

NORTH PLAINS, WASHINGTON CO.

OREGON

SCALE:
1" = 200'

PROJECT NO.
32992

DRAWING FILE NAME:
32992-surf-ex03

1 SHEET

RESOLUTION NO. 1374

A RESOLUTION CANVASSING RESULTS OF SPECIAL ELECTION HELD IN THE CITY OF NORTH PLAINS, OREGON , ON MARCH 13, 2007.

WHEREAS, a Special Election was held on March 13, 2007, wherein the legal voters of the City of North Plains, Oregon balloted upon the election of annexation of 24.33 acres to the City of North Plains, and

WHEREAS, the County Clerk has filed with the Recorder of the City an Abstract of the votes of said election, and it is necessary that the City Council of the City now canvass the results of said election as follows:

That the legal voters of the City of North Plains at said election cast the following votes for:

	<u>NUMBER OF VOTES CAST</u>	
<u>NORTH PLAINS MEASURE 34-141</u>	YES: 407	NO: 373

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH PLAINS:

Section 1: That the Abstract of Votes of the County Clerk be and the same hereby is approved and the results of said election are as herein above set forth.

INTRODUCED AND ADOPTED this 16th day of April, 2007.

CITY OF NORTH PLAINS, OREGON

By: Cheri Olson
Cheri Olson, Mayor

ATTEST
By: Debbie Owens
Debbie Owens, City Recorder