



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

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NOTICE OF ADOPTED AMENDMENT

March 19, 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



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 4, 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/

LAND CONSERVATION AND DEVELOPMENT

MAR 15 2007

DEPT OF

FORM 2

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: 3/13/07 VOTER APPROVAL Date Mailed: 3-14-06
(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 TO THE CITY OF NORTH PLAINS EAST EXPANSION AREA

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: ~~EAST~~ WEST OF JACKSON SCHOOL ROAD SOUTH OF WEST UNION Acres Involved: 24.33

Specify Density: Previous: _____ New: _____

Applicable Statewide Planning Goals: _____

Was an Exception Adopted? Yes: _____ No:

DLCD FILE NO: 007-06(15659)

RESOLUTION NO. 1356

A RESOLUTION APPROVING ANNEXATION PROPOSAL AN-06-0020 AND CALLING AN ELECTION FOR CITY VOTERS TO APPROVE THIS ANNEXATION.

WHEREAS, Washington County has a policy that unincorporated areas of the County should be annexed to cities so that urban services for those areas can be provided by cities; and

WHEREAS, the City Council agrees with County annexation policy and believes that areas outside the current City boundaries and within the City Urban Growth Boundary should be annexed to the City; and

WHEREAS, the City has received a petition Jackson Union LLC as the property owners meeting the requirements for initiation of annexation to the City under ORS 222.170(1); and

WHEREAS, after legal notices, a public hearing was held on the proposal for annexation by the City Council on December 18, 2006, where comments and testimony were received and considered; and

WHEREAS, the Council reviewed and considered the application for annexation, the staff report and the record before the Planning Commission for its hearing on December 13, 2006, and the proposed findings and reasons; and

WHEREAS, the property proposed for annexation contains 24.33 gross acres and all the owners of the land proposed for annexation consent in writing to this annexation; and

WHEREAS, Section 3.1 of the City Charter requires City voter approval for annexations.

NOW, THEREFORE, THE CITY OF NORTH PLAINS RESOLVES AS FOLLOWS:

Section 1. The City Council adopts Annexation Application No. 06-0020 and the staff report dated August 1, 2006, and attached to this Resolution as Exhibit A.

Section 2. The City Council approves Annexation Application No. 06-0020, and the annexation to the City of North Plains of the territory legally described in Exhibit B to this Resolution.

Section 3. A City election on this annexation is called for March 13, 2007.

Section 4. The Washington County Elections Department will conduct the election.

Section 5. The precincts for the election are all those that include territory included within the corporate limits of the City.

Section 6. The ballot title will read as follows:

CAPTION: PROPOSAL TO ANNEX 24.33 ACRES TO CITY

QUESTION: Should the City of North Plains annex 24.33 acres on its east boundary?

SUMMARY: Approval of this ballot measure will annex 24.33 acres to the City of North Plains. The land is all within the City Urban Growth Boundary. The land is east of the City located south of NW West Union Road and west of NW Jackson School Road. Most of the land is vacant or used for agricultural purposes. A legal description and maps of the annexation land are on file at the North Plains City Hall.

Section 7. The City Recorder is authorized to submit an impartial explanatory statement for the Washington County voters' pamphlet on behalf of the City.

Section 8. The City Recorder will publish the ballot title as provided by state law.

Section 9. This resolution is effective upon its adoption by the City Council.

INTRODUCED AND ADOPTED this 18th day of December, 2006.

CITY OF NORTH PLAINS, OREGON

By: Cheri Olson
Cheri Olson, Mayor

ATTEST:

By: Debbie Owens
Debbie Owens, City Recorder

NOTICE OF RECEIPT OF BALLOT TITLE

Notice is hereby given that on December 18, 2006, the City Elections officer received the following Ballot Title for a measure to be referred to the legal voters of the City by the City Council of the City of North Plains at an election to be held March 13, 2007.

**CITY OF NORTH PLAINS, WASHINGTON COUNTY
PROPOSAL TO ANNEX 24.33 ACRES TO CITY.**

QUESTION: Should the City of North Plains annex 24.33 acres on its east boundary?

SUMMARY: Approval of this ballot measure will annex 24.33 acres to the City of North Plains. This land is all within the City Urban Growth Boundary. The land is east of the City located south of NW West Union Road and west of NW Jackson School Road. Most of the land is vacant or used for agricultural purposes. A legal description and maps of the annexation land are on file at the North Plains City Hall.

Notice is hereby given that a ballot title for a measure referred by the City has been filed with the City Elections Officer on December 18, 2006. The ballot title caption is CITY OF NORTH PLAINS, WASHINGTON COUNTY, PROPOSAL TO ANNEX 24.33 ACRES TO CITY. This Notice is provided in accordance with the requirement of ORS 250.275(5). An elector may file a petition for review of this ballot title in the Washington County Circuit Court no later than 5:00 p.m., December 28, 2006, (seven (7) business days after filing of this notice with the City Elections Officer).

Debbie Owens, City Recorder
City of North Plains

EXPLANATORY STATEMENT FOR COUNTY VOTERS' PAMPHLET

Ballot Title Caption: Proposal to annex 24.33 acres to city

If approved by the voters, this measure will annex 24.33 acres of mostly vacant and agricultural land to the City of North Plains. The City Council found that this annexation proposal meets all applicable land use legal requirements. The City Charter requires voter approval of annexations.

All of the annexation land is within the City Urban Growth Boundary. The major impact of the annexation will be to shift urban planning and services responsibilities from Washington County to the City. The annexation land will be subject to the City's comprehensive plan and land use regulations. The land must develop under City requirements and in coordination with other land uses.

The annexation land will be subject to City property tax rates and will increase City revenue to help finance City services. The City will also gain revenue through development and building fees.

By approving this annexation of land into the City of North Plains, the City voters will require development to comply with City standards and increase City revenues at no cost to current residents.

Approval of this ballot measure will annex land south of NW West Union Road, west of Jackson School Road and to the east of McKay Creek. A map of the annexation land and legal description is on file at the North Plains City Hall. The area proposed to be annexed is 24.33 acres of the 69.87 acres of the east expansion area. There is a map of the proposed annexation area in the voters' pamphlet.



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.

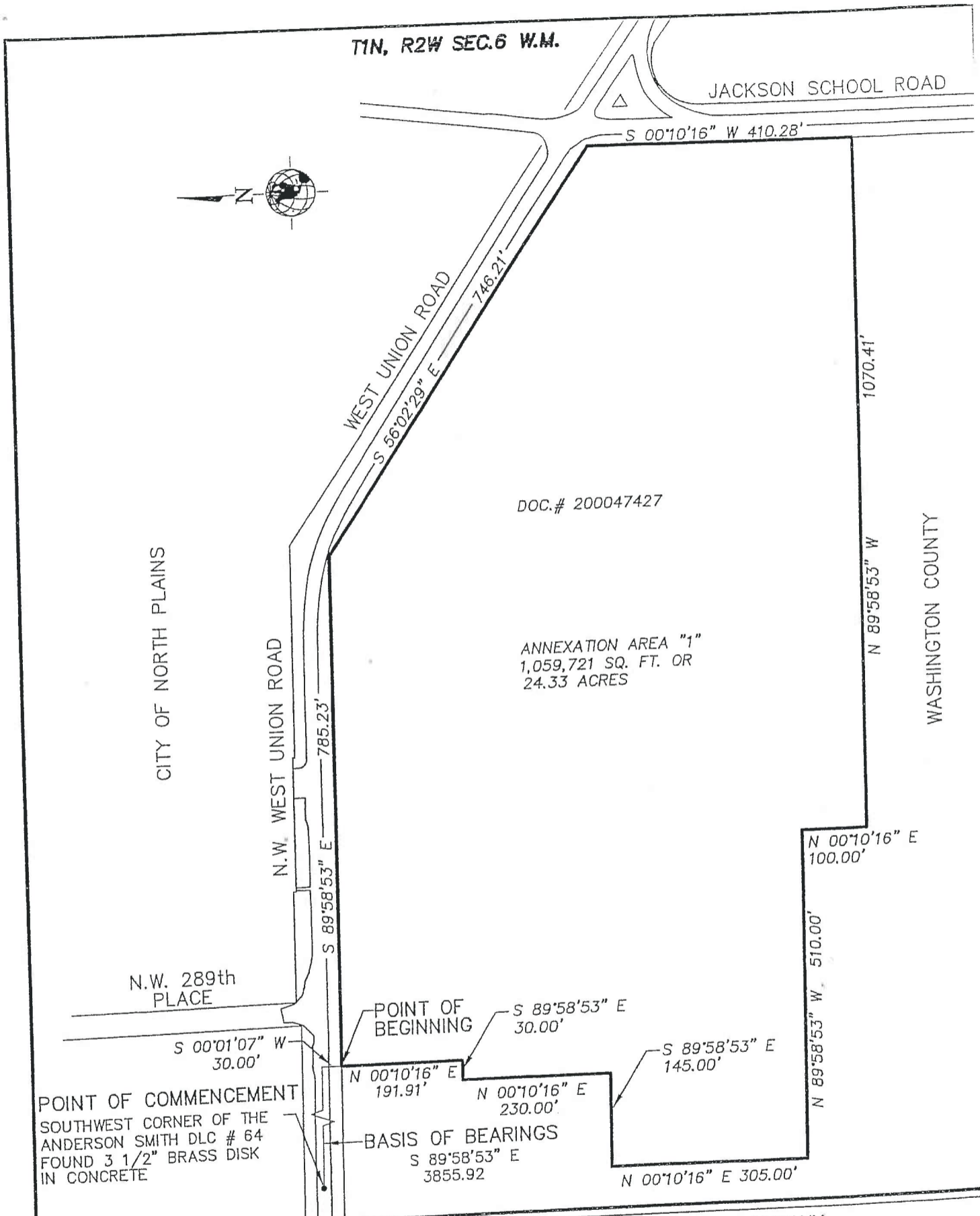
THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS THE SOUTH LINE OF THE ANDERSON SMITH D.L.C. AND IS SHOWN AS SOUTH 89°58'53" EAST.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Scott M. Grubbs

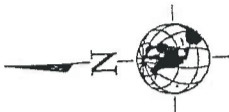
OREGON
JULY 13, 2004
SCOTT M. GRUBBS
54728

RENEWAL: 06-30-07



T1N, R2W SEC.6 W.M.

JACKSON SCHOOL ROAD



WEST UNION ROAD

DOC.# 200047427

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

CITY OF NORTH PLAINS

WASHINGTON COUNTY

N.W. 289th PLACE

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

POINT OF BEGINNING

BASIS OF BEARINGS

DRAWN BY: SMG		CHECKED BY: GPC	
LAST EDIT: 04/24/2008		APPROVED BY:	
PLOT DATE: 04/24/06			
DATE	BY	REV#	REVISION



9705 SW Barnes Road
Suite 200
Portland, Oregon 97225
(503) 255-0225
(503) 255-0775 Fax
w&hsurvey.com

POLYGON NW COMPANY
EXPANSION AREA "1"
NORTH PLAINS

NORTH PLAINS, WASHINGTON CO.	PROJECT NO. 32992	DRAWING FILE NAME: 32992-survey-ex03	1 SHEET	OREGON 1
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SCALE:
1" = 200'