



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 Pilot Rock Plan Amendment
DLCD File Number 001-07



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 24, 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: Doug White, DLCD Community Services Specialist
Darren Nichols, DLCD Regional Representative
Jackie L. Carey, City of Pilot Rock

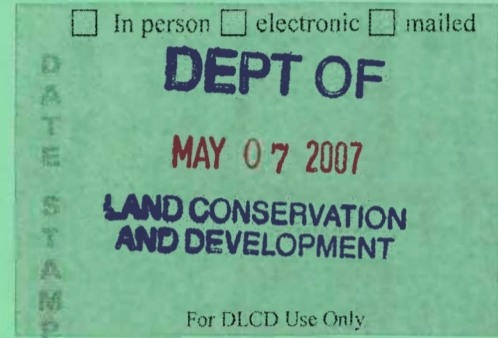
<paa> ya/

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



Jurisdiction: **City of Pilot Rock**

Local file number: **07-003**

Date of Adoption: **5/1/2007**

Date Mailed: **5/3/2007**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Select one** Date: **1/11/2007**

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".
We annexed 445 acres into the City of Pilot Rock. The change in zoning will be EFU to Heavy Industrial.

Does the Adoption differ from proposal? Please select one
no

Plan Map Changed from: **EFU**

to: **Industrial**

Zone Map Changed from: **EFU**

to: **M2 Heavy Industrial**

Location: **NW of Pilot Rock**

Acres Involved: **445**

Specify Density: Previous:

New:

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. 001-07 (15804)

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

Local Contact: Jackie I. Carey

Phone: (541) 443-2811 Extension:

Address: PO Box 130

Fax Number: 541-443-2253

City: Pilot Rock

Zip:

E-mail Address: jcarey@centurytel.net

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 Complete Copies (documents and maps) 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. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: webserver.lcd.state.or.us. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing mara.ulloa@state.or.us.
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 now access these forms online at <http://www.lcd.state.or.us/>. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to mara.ulloa@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

CITY OF PILOT ROCK
ORDINANCE NO. 525

AN ORDINANCE DECLARING CERTAIN DESCRIBED PROPERTY CONTIGUOUS TO THE CITY OF PILOT ROCK, OREGON TO BE ANNEXED INTO THE CITY, RECOGNIZING AND ACCEPTING THE WRITTEN CONSENT OF THE OWNER IN THE OWNER IN THE AREA PROPOSED TO BE ANNEXED AND DIRECTING THE CITY RECORDER TO TRANSMIT CERTAIN DOCUMENTS TO THE DEPARTMENT OF REVENUE, STATE OF OREGON ASSESSMENT, APPRAISAL DIVISION, COUNTY ASSESSOR, COUNTY CLERK, AND THE SECRETARY OF STATE AND DECLARING AN EMERGENCY

WHEREAS, there are no provisions in the Charter of the City of Pilot Rock which expressly prohibits the City Council from dispensing with submitting the question of annexation to the registered voters of the City and the City has elected to dispense with an election.

WHEREAS, the City of Pilot Rock and Umatilla County have agreed pursuant to the Pilot Rock Urban Growth Area Joint Management Agreement that annexation shall occur in the manner consistent with the annexation procedure set forth in the Oregon Revised Statutes, Oregon Case Law and City Ordinances and annexation shall not occur until such sites are contiguous to the City.

WHEREAS, the property to be annexed is owned by the City of Pilot Rock and its duly elected council has consented to the annexation pursuant to ORS 222.125 and its mayor has signed a Consent to Annexation of the property described below.

WHEREAS, the real property to be annexed is contiguous to the City of Pilot Rock.

WHEREAS, proper notice of the hearing was mailed to adjoining land owners and published once each week for two successive weeks prior to the set hearing in a newspaper of general circulation in the City and posted in four public places for a like period.

WHEREAS, a public hearing was held on the third day of April, 2007, to hear testimony and consider annexation of the property described below.

WHEREAS, the City Council of Pilot Rock has determined that annexation of the subject property is in the best interest of the City.

THE CITY OF PILOT ROCK ORDAINS AS FOLLOWS:

SECTION 1. ANNEXATION AREA. The following described contiguous territory is hereby declared to be annexed to the City of Pilot Rock:

As per Exhibit A attached hereto and by this reference made a part hereof.

SECTION 2. ANNEXATION WITHOUT ELECTION. The City of Pilot Rock does hereby elect to dispense with submitting the question of annexation to an election by the registered voters of the City of Pilot Rock as provided by ORS 222.111 et seq.

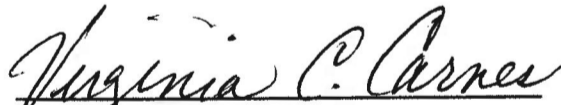
SECTION 3. REZONING. The annexed property shall come into the City as City zoned M2, Heavy Industrial.

SECTION 4. FARM LAND/GUN CLUB/RESIDENTIAL. The property annexed is adjacent to existing farm land/ gun club/residential use and no permit shall be issued that will negatively impact adjacent farm use/gun club/residential use. The adjacent farm land has the right to farm pursuant to ORS 30.930 to 30.947.

SECTION 5. RECORD. The City of Pilot Rock recorder shall submit to the Secretary of State of the State of Oregon, a copy of this ordinance and a copy of the Statement of Consent of landowners in the territory annexed. The City of Pilot Rock recorder shall also send a report containing a detailed legal description of the new boundaries of the City within ten days from the effective date of annexation to the Umatilla County Assessor and Umatilla County Clerk. A copy of all appropriate documents regarding this annexation will be sent to Department of Revenue and State of Oregon Assessment Appraisal Division.

SECTION 6. EMERGENCY. This ordinance is in the interest of the public health, safety and welfare of the citizens of the City of Pilot Rock and an emergency is hereby declared to exist and this ordinance shall be in effect immediately upon its passage and approval.

PASSED by the Council and Approved by the Mayor this 1 day of May, 2007.


Mayor

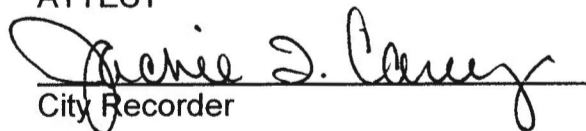
ATTEST

City Recorder

EXHIBIT "A"

TRACT A

A tract of land in Section 4 and 5 in Township 1 South, Range 32 East of the Willamette Meridian, County of Umatilla and the State of Oregon being more particularly described as follows:

Commencing at the southeast corner of Section 5 in said Township 1 South, Range 32 East as marked by a 2" iron pipe as set in survey #1-44; thence north 0°39'18" West along the east line of said Section 5 (as now surveyed) a distance of 1331.23 feet; thence South 89°24'21" East 1330.33 feet; thence North 0°48'07" West 1330.32 feet to a point on the east-west center-of-section line to said Section 4, said point being the Point of Beginning of the tract herein to be described; thence South 89°21'48" East 1326.94 feet to the center of said Section 4; thence South 89°21'48" East along the east-west center-of section line for Section 4, a distance of 56.73 feet to a point in the west line of the O.W.R. Railroad, said point being on a non-tangent curve to the left having a radius of 5689.58 feet; thence along said curve to the left through a central angle of 7°55'35" an arc length of 787.10 feet, said curve is subtended by a chord which bears North 25°00'12" East a distance of 786.48 feet to a point of curve to spiral at railroad station 652+63.23; thence along said spiral curve which is subtended by a chord which bears North 20°44'24" East a distance of 89.69 feet to the spiral to tangent at station 651+73.23; thence North 20°35'25" East 173.23 feet; thence North 69°24'35" West 10.00 feet; thence North 20°35'25" East 265.67 feet to a point of spiral curve; thence along said spiral curve which is subtended by a chord which bears North 21°03'16" East 118.91 feet to a point on the east-west 1/16 line which bears South 89°18'49" East 630.67 feet from the north-south center-of-section line of Section 4 (as now surveyed); thence North 89°18'49" West 630.67 feet to a point on said north-south center-of-section line; thence North 89°18'49" West 2648.12 feet; thence North 0°39'20" East a distance of 1281.30 feet to a 2-1/2" brass cap marking the northeast corner of said Section 5; thence North 89°55'49" West along the north line of said Section 5 a distance of 1452.47 feet to a 2-1/2" brass cap marking the south ¼ corner of Section 32; thence North 89°55'36" West along said north line 1188.39 feet; thence South 2°39'36" West 619.22 feet to the as traveled center line of Mill Road (County Road); thence South 0°04'11" West along said traveled center line 1968.23 feet; thence South 89°21'48" East 2587.79 feet; thence South 89° 21' 48" East a distance of 1326.94 feet to the Point of Beginning.

EXCEPTINGTHEREFROM any portion of the property being with the above described Mill Road.

EXHIBIT "B"

A Tract of land in Sections 4 and 5, Township 1 South, Range 32, E.W.M., more particularly described as follows:

Beginning at the Southeast corner of Section 5, in said Township 1 South, Range 32 East as marked by a 2" iron pin as set in survey #I-44; thence North 0° 39' 18" West along the East line of said Section 5 as now surveyed 1,331.23 feet; thence South 89° 24' 21" East 1,330.33 feet; thence North 0° 48' 07" West a distance of 1,330.32 feet to a point on the East-West center of Section line to said Section 4; thence North 89° 21' 48" West, 1,326.94 feet to the East line of said Section 5; thence North 89° 21' 48" West along said center of Section Line 2,587.79 feet to the as traveled center line of Mill Road (County Road); thence South 0° 04' 11" West along said traveled center line 896.63 feet to an angle point in said road; thence South 0° 03' 34" East, continuing along said traveled center line 1,785.04 feet to a railroad spike in the center line of intersection of Mill Road and Main Road; thence South 89° 47' 42" East along the center line of said Main Road, 2,617.33 feet to the Point of Beginning;

EXCEPTING THEREFROM any portion of the property being within the above said Mill Road and Main Road;

All Being East, Willamette Meridian, County of Umatilla, State of Oregon.

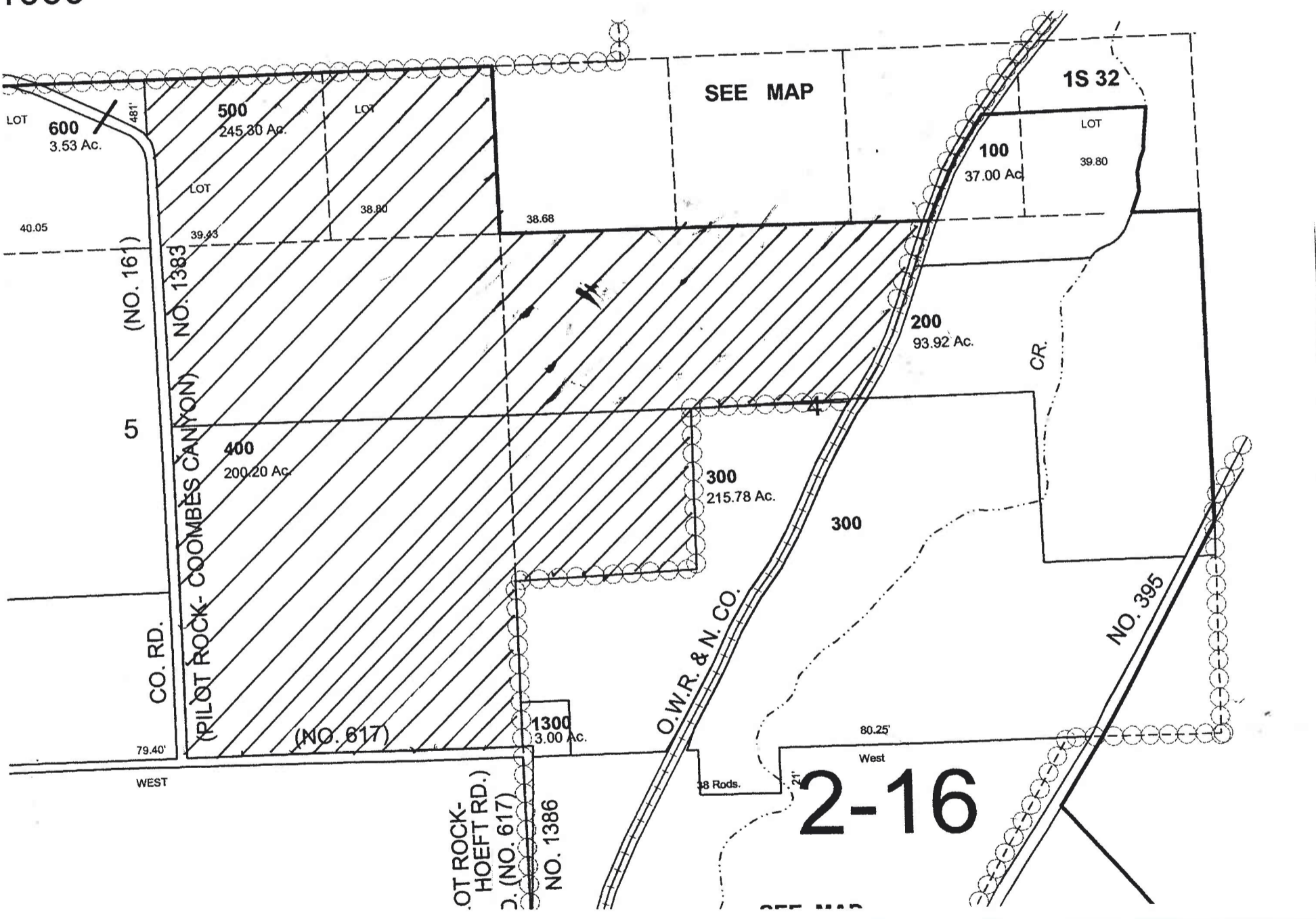
UMATILLA COUNTY

1/11/07

1S 32B

AERIAL PHOTO NO 7P 23-29, 68-74 & 106-112

1000'



CONSENT TO ANNEXATION

TO: THE HONORABLE MAYOR AND COMMON COUNCIL OF THE CITY OF PILOT ROCK, UMATILLA COUNTY, OREGON:

City of Pilot Rock hereby consent to the Annexation of the below described property to the City of Pilot Rock.


The property is the property of the City of Pilot Rock described as follows, to wit:

Tax Lots #1601 and 1800 of Assessor's Map 1S 32

That said land is contiguous to the City of Pilot Rock, Umatilla County, State of Oregon and is located within the Urban Growth Boundary and therefore is eligible for annexation.

The said land will be zoned M-2, heavy industrial.

IN WITNESS WHEREOF, the petitioner, City of Pilot Rock, has herein caused this instrument to be executed this 23 day of February 2007.



Mayor Virginia Carnes

This is to acknowledge that the above Virginia Carnes personally appeared before me on this 23 day of February, 2007.



Notary Public of Oregon

