



Oregon

Theodore R. Kubongoski, 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

05/04/2009

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

FROM: Larry French, Plan Amendment Program Specialist

SUBJECT: City of Happy Valley Plan Amendment
DLCD File Number 001-09

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. 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: Friday, May 15, 2009

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 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 THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

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

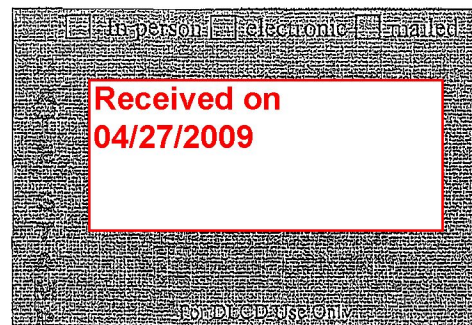
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FORM 2

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 HAPPY VALLEY

Local file number: CPA-03-09/ANN-01-09

Date of Adoption: APRIL 21, 2009

Date Mailed: March 2, 2009

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

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other: ANNEXATION

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

THE CITY OF HAPPY VALLEY CITY COUNCIL APPROVED A PROPOSAL TO ANNEX 10 PROPERTIES AND APPLY CITY ZONING TO 8 OF THESE PROPERTIES, WHICH ARE CURRENTLY LOCATED IN UNINCORPORATED CLACKAMAS COUNTY. TWO OF THESE PROPERTIES ARE WITHIN THE CITY'S EAST HAPPY VALLEY COMPREHENSIVE PLAN (EHVCP) AREA AND WILL BE LEGISLATIVELY REZONED FROM THE EXISTING CLACKAMAS COUNTY DESIGNATION/ZONE TO THE APPLICABLE CITY DESIGNATION/ZONE AT TIME OF THE EHVCP ADOPTION. THE REMAINING EIGHT PROPERTIES WERE LEGISLATIVELY REZONED BY INCORPORATING AN ORDINANCE TO AMEND THE CITY'S COMPREHENSIVE PLAN MAP/ZONING MAP WITHIN THE PROPOSAL. SECTION 16.40.080 OF THE CITY'S MUNICIPAL CODE HAS PROVISIONS FOR THIS ACTION AND INCLUDES A CONVERSION TABLE FROM COUNTY EQUIVALENT CITY ZONING DESIGNATIONS.

Does the Adoption differ from proposal? Please select one

Originally, all properties proposed for annexation were to be rezoned as part of this proposal. However two remain consistent with past practices. The City will rezone the two properties located in the EHVCP area at the time of its adoption.

Plan Map Changed from:

to: R-5, R-10, R-15, MUC, IPU

Zone Map Changed from: R-10, R-15, RRFF-5, VR-57, OA, EFU

to: R-5, R-10, R-15, MUC, IPU

Location: SEVERAL LOCATIONS

Acres Involved: 28.94

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

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. 001-09 (17401) [15489]

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

Local Contact: JUSTIN POPILEK	Phone: (503)783-3810	Extension:
Address: 16000 SE MISTY DRIVE	Fax Number: 503-658-5174	
City: HAPPY VALLEY OR	Zip: 97086	E-mail Address: justinp@ci.happy-valley.or.us

ADOPTION SUBMITTAL REQUIREMENTS

This form must be mailed to DLCD within 5 working days after the final decision
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO 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.

ORDINANCE NO. 387
CITY OF HAPPY VALLEY

AN ORDINANCE ANNEXING TERRITORY INTO THE CITY OF HAPPY VALLEY,
OREGON AND THE NORTH CLACKAMAS PARKS AND RECREATION
DISTRICT, WITHDRAWING SAID TERRITORY FROM THE CLACKAMAS
COUNTY ENHANCED LAW ENFORCEMENT DISTRICT, AND AMENDING
OFFICIAL MAP EXHIBIT 11 OF THE CITY OF HAPPY VALLEY LAND
DEVELOPMENT ORDINANCE NO. 97.

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-01-09/CPA-03-09); and

WHEREAS, the proposed annexation territory consists of 10 tax lots totaling 28.94 acres of land adjacent to existing City boundaries; and

WHEREAS, the specific tax lots to be annexed include:

12E34D01600, 12E34DD01800, 13E31C01400, 22E02DA00100, 22E03AA00300,
22E03AA00400, 22E03AA00500, 23E07B00800, 13E31C01100, 13E31D01800; and

WHEREAS, the City provided notice that the City Council would consider the annexation petitions, consistent with the applicable notice requirements of (1) applicable provisions of Metro Code Chapter 3.09, (2) Section 2(d) of the Urban Growth Management Agreement dated June 19, 2001, and (3) applicable state law requirements; and

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

WHEREAS, pursuant to Section 16.40.080 of the Happy Valley Municipal Code, eight of the 10 Tax Lots proposed for annexation will be legislatively rezoned from Clackamas County to "equivalent" Happy Valley zoning designations; and

WHEREAS, the City Council considered the proposed annexation and Comprehensive Plan map/Zoning map amendment at its regularly scheduled City Council meeting on April 21, 2009; and

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

Now, therefore, based on the foregoing,

THE CITY OF HAPPY VALLEY ORDAINS AS FOLLOWS:

Section 1. The City Council declares the territory described in Exhibit B, and depicted in Exhibit A is annexed to Happy Valley effective 30 days after approval of this ordinance.

Section 2. The City of Happy Valley declares through the legislative process that the following city zoning designations shall apply to eight of the Tax Lots proposed for annexation, as pursuant to Section 16.40.080 of the Happy Valley Municipal Code:

12E34D01600- Medium Density Residential (R-10)
12E34DD01800- Medium-Low Density Residential (R-15)
13E31C01100- Residential 5,000 square feet (R-5)
13E31C01400- Residential 5,000 square feet (R-5)
22E02DA00100- Institutional and Public Use (IPU)
22E03AA00300- Mixed Use Commercial (MUC)
22E03AA00400- Mixed Use Commercial (MUC)
22E03AA00500- Mixed Use Commercial (MUC)

Section 3. The City Council adopts the Annexation Application and Comprehensive Plan Map/Zoning Map Amendment (ANN-01-08/CPA-03-09) and the associated Staff Report to the City Council dated April 21, 2009

Section 4. The territory described in Exhibit B, and depicted in Exhibit A is hereby annexed to the North Clackamas Parks and Recreation District and is withdrawn from the Clackamas County Enhanced Law Enforcement District effective 30 days from the approval of this ordinance.

Section 5. As a condition for the annexation of each property in the territory described 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 ten (10) years from the effective date of the annexation.

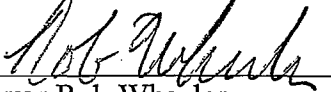
Section 6. The City Recorder is directed to:

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).

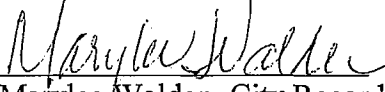
READ for the first time at the regular meeting of the City Council of the City of Happy Valley, Oregon, on April 21, 2009 and read for the second time on April 21, 2009, and adopted by a unanimous vote of the members of the City Council of the City of Happy Valley, Oregon.

CITY OF HAPPY VALLEY



Mayor Rob Wheeler

ATTEST:



Marylee Walden, City Recorder

HAPPY VALLEY, OREGON
Resolution No. 5-13

COPY

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

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

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

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

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

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

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

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

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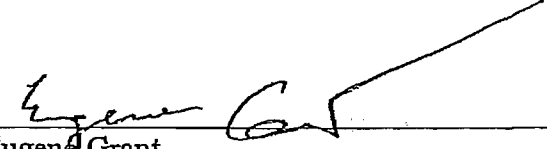
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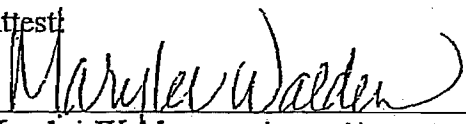
Section 4. This Resolution shall take effect immediately upon its adoption by the City Council and approval by the Mayor.

COPY

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

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


Eugene Grant
Mayor

Attest

Marylee Walden
City Recorder

**CITY OF HAPPY VALLEY
ANNEXATION NO. ANN-01-09
AREA "A"**

Legal Description

A tract of land situated in Section 34, T1S, R2E, W.M., Clackamas County, Oregon and more particularly described as follows:

Beginning at the southeast corner of Lot 14, Block 2, in the plat of Amaron Heights, Plat No. 2264;

1. Thence North $76^{\circ} 57' 02''$ West, along the south line of said Plat, 802.88 feet more or less to the northeast corner of lot 6, in the plat of J. Charles Downs, Plat No. 2543;
2. Thence South $35^{\circ} 30'$ West, along the east line of said plat, 457.70 feet to the northwest corner of a tract of land (12E34D01601) as recorded in Deed Instrument No. 2000-04979 (Parcel 1) and the existing city limits of the City of Happy Valley;
3. Thence South $61^{\circ} 28'$ East, along said city limits and the north line of said tract and it's easterly extension, 260 feet to the northeast corner of a tract of land (12E34D01602), as recorded in Deed Instrument No. 2000-024790;
4. Thence South $26^{\circ} 38'$ West, along said city limits, 150 feet more or less (scaled distance as noted on assessors map 12E34D), to the north line of S.E. Sunnyside Road;
5. Thence Easterly, along said city limits and said north line, 520 feet more or less (scaled distance as noted on assessors map 12E34D), to the point of intersection with the west line of a tract of land (22E3AB00201) as recorded in Deed Instrument No. 79-32747;
6. Thence (leaving said city limits), North $18^{\circ} 30'$ East, along the west line of said tract, 130 feet more or less to the northwest corner of said tract;
7. Thence South 70° East, along the north line of said tract and it's easterly extension, 253.44 feet;
8. Thence North $19^{\circ} 30'$ East, 363 feet to the west line of S.E. 117th Avenue (a 40 foot R/W) and the existing city limits of the City of Happy Valley;
9. Thence North, along said west line and the existing city limits of the City of Happy Valley, 333.4 feet to the northeast corner of a tract of land (12E34D01600 and 1600E1) as recorded in Deed Instrument No. 78-27969;
10. Thence North $76^{\circ} 57' 02''$ West, along the north line of said tract, 5 feet more or less to the point of beginning.

Note: All deed instrument numbers are Clackamas County records. All tax map and tax lot numbers are for reference only and are not to be considered part of the legal description.

Exhibit "B"

**CITY OF HAPPY VALLEY
ANNEXATION NO. ANN-01-09
AREA "B"**

Legal Description

A tract of land situated in Section 34, T1S, R2E, W.M., Clackamas County, Oregon and more particularly described as follows:

Beginning at the common section corner of Sections 34 and 35, T1S, R2E, W.M. and Sections 2 and 3, T2S, R2E, W.M.;

1. Thence North $89^{\circ} 21' 12''$ West, along the common line of said Sections 3 and 34, 20 feet to the west line of S.E. 122nd Avenue (a 50 foot R/W to the north and a 60 foot R/W to the south) and the existing city limits of the City of Happy Valley;
2. Thence North, along said city limits and west line, 318.26 feet to the true point of beginning;
3. Thence (leaving said city limits) North $89^{\circ} 46'$ West, 396.20 feet, to the northwest corner of a tract of land (12E34DD01800), as recorded in deed instrument no.89-13253;
4. Thence South $0^{\circ} 20' 43''$ East, along the west line of said tract, 145.20 feet to a point on the north line of the Plat of Stephens Meadows, Plat No. 2958, said point being South $89^{\circ} 21' 12''$ East and 59.92 feet in distance from the northwest corner of Lot 2 in said Plat;
5. Thence South $89^{\circ} 21' 12''$ East, along the south line of said tract & the north line of said plat and its easterly extension, 263.20 feet;
6. Thence North $0^{\circ} 20' 44''$ West, 105 feet;
7. Thence East $89^{\circ} 46'$ East, 133 feet to the west line of S.E. 122nd Avenue and the existing city limits of the City of Happy Valley;
8. Thence North $0^{\circ} 20'$ West, along said city limits and west line, 40.20 feet to the true point of beginning.

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Exhibit "B"

**CITY OF HAPPY VALLEY
ANNEXATION NO. ANN-01-09
AREA "C"**

Legal Description

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

All of Lot 46 & 47, Block 2, Pleasant Valley Golf Estates, Plat No. 1355.

Note: All deed instrument numbers are Clackamas County records. All tax map and tax lot numbers are for reference only and are not to be considered part of the legal description.

Exhibit "B"

**CITY OF HAPPY VALLEY
ANNEXATION NO. ANN-01-09
AREA "D"**

Legal Description

A tract of land situated in Section 7, T2S, R3E, W.M. Clackamas County, Oregon and more particularly described as follows:

Part of the Northwest one-quarter of Section 7, Township 2 South, Range 3 East, of the Willamette Meridian, in Clackamas County, Oregon, conveyed to Donald W. Seamster, et ux, as Recorders's Fee No. 2007-107661, Clackamas County Records, described as follows;

Beginning at the Northwest corner of the Southwest one-quarter of the Northwest one-quarter of said Section 7, thence North along the west line of said Section 7, 198.0 feet to the southwest corner of said Seamster Tract, said point being the true point of beginning of the herein described tract;

1. Thence continuing North, along said west line of Section 7, 126.0 feet;
2. Thence East, 345.7 feet;
3. Thence South, parallel with said west section line, 126.0 feet to a point on the south line of said Seamster Tract;
4. Thence West, 345.7 feet to the point of beginning.

Note: All deed instrument numbers are Clackamas County records. All tax map and tax lot numbers are for reference only and are not to be considered part of the legal description.

Exhibit "B"

**CITY OF HAPPY VALLEY
ANNEXATION NO. ANN-01-09
AREA "E"**

Legal Description

A tract of land situated in Section 2, T2S, R2E, W.M. Clackamas County, Oregon and more particularly described as follows:

Beginning at the most northerly corner of Tract "C" in the Plat of Piper Meadows, Plat No. 3463, said corner also being on the existing city limits of the City of Happy Valley ;

1. Thence South $0^{\circ} 09' 41''$ West, along said city limits & the east line of said tract, 95.84 feet more or less to the north line of S.E. Sunnyside Rd. # 186(a 100 foot more or less r/w) & the true point of beginning;
2. Thence (leaving said city limits), North $89^{\circ} 29' 31''$ West, along the north line of said S.E. Sunnyside Rd., 141.94 feet more or less to the west line of Tract "A", of said plat & the east line of lot 22 in said plat;
3. Thence South, along said east line, 10 feet more or less to the southeast corner of said lot 22;
4. Thence Westerly, along the north line of S. E. Sunnyside Road , 582.76 feet more or less to the southwest corner of the plat of Summerfield, Plat No. 3295 and a 10 foot (more or less),jog to the north;
5. Thence North $0^{\circ} 07' 30''$ East, along said jog & the west line of the plat of Summerfield 10 feet more or less, to the north line of S. E. Sunnyside Road;
6. Thence West, along said north line & a curve to the right, 197 feet more or less to the point of intersection with the east line of S.E 140th Avenue (a 60 foot R/W) and the west line of a 125 foot P.G.E. right-of-way easement;
7. Thence South, along the southerly extension of said easement, 130 feet more or less to the northeast corner of the Plat of Irene Marie Estates, Plat No. 3078;
8. Thence South $01^{\circ} 18' 51''$ West, along the east line of said plat and the west line of said easement, 610.90 feet to the southeast corner of said plat and the northwest corner of Tract "A" in the Plat of Forest Creek Estates, Plat No. 3114;
9. Thence South $89^{\circ} 58' 45''$ East, along the north line of said Forest Creek Estates and its easterly extension, 695.83 feet, to the east line of S. E. 142nd Avenue (a 60 foot R/W);
10. Thence North $0^{\circ} 03' 44''$ East, along said east line, 250.09 feet more or less to the point of intersection with the north line of S. E. Princeton Village Way (a 22.50 foot R/W) and the south line of Tract "A" in Partition Plat No. 2001-53;

Note: All deed instrument numbers are Clackamas County records. All tax map and tax lot numbers are for reference only and are not to be considered part of the legal description.

Exhibit "B"

11. Thence North $89^{\circ} 24' 44''$ East, along said south line of said Tract "A", and said north line 10 feet more or less to the point of intersection with the southerly extension of the west line of said partition plat;
12. Thence North $0^{\circ} 08' 28''$ West, along the east line of S.E. 142nd Avenue and the west line of said Partition Plat, 372.04 feet to the beginning of a 15 foot radius curve to the right;
13. Thence Northeasterly, along said radius curve, 23.74 feet to the point of tangency with the south line of S.E. Sunnyside Road;
14. Thence South $89^{\circ} 27' 29''$ East, along said south line and the north line of Parcel 1 of Partition Plat No. 2001-53, 197.65 feet to the northeast corner of said parcel and the point of intersection with the southerly extension of the east line of Tract "C" in the Plat of Piper Meadows, Plat No. 3463;
15. Thence North $0^{\circ} 09' 41''$ East, along said extension & city limits, 122 feet more or less to the true point of beginning.

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Exhibit "B"

CITY OF HAPPY VALLEY
ANNEXATION NO. ANN-01-09
AREA "F"

Legal Description

A tract of land situated in Section 3, T2S, R2E, W.M. Clackamas County, Oregon and more particularly described as follows:

Beginning at the southeast corner Lot 18, Block 2, in the Plat of Sylvan Meadows, Plat No. 2637;

1. Thence North $71^{\circ} 29' 30''$ West, along the south line of said lot, 102.94 feet to the southwest corner of said lot and the northwest corner of a tract of land (22E3AA00300) as recorded in Deed Instrument No. 2008-041016 (Parcel 1);
2. Thence South $18^{\circ} 01' 38''$ West, along the west line of said tract and its southerly extension, 271 feet more or less to the south line of S.E. Sunnyside Road and the north line of Lot 16, in the Plat of Tanya Park, Plat No. 2394;
3. Thence South $34^{\circ} 09'$ East, along the north line of said plat and said road south line, 215 feet more or less to the northeast corner of Lot 1 in said Plat and a 12.77 foot jog to the south in said south line;
4. Thence South $13^{\circ} 24' 51''$ West, along said jog and the east line of said lot, 12.77 feet to the south line of S.E. Sunnyside Road;
5. Thence Southeasterly, along said road south line, 225 feet more or less to the point of intersection with the southerly extension of the west line of Lot 1 of the Plat of Kellers Korner;
6. Thence North $24^{\circ} 41'$ East, along said extension and west line, 301.65 feet more or less, to the northwest corner of said lot;
7. Thence North $0^{\circ} 20'$ East, 330.0 feet to a point on the existing city limits of the City of Happy Valley; and the south line of a tract of land (22E03AA00201) as recorded in Deed Instrument No. 89-55342 & the northwest corner of a tract of land (22E03AA00500), as recorded in deed instrument no. 2008-014135;
8. Thence North $85^{\circ} 30'$ West, 40 feet more or less to the southwest corner of said tract and the terminus and point of intersection with the south line of Shady Meadow Court (a 20 foot R/W);
9. Thence North $85^{\circ} 30'$ West, along said south line & the north line of said tract noted in deed instrument no. 2008-014135 & it's westerly extension, 180 feet more or less to the point of intersection with the east line of an unnamed 40 foot right-of-way and the

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Exhibit "B"

northwest corner of a tract of land (22E03AA00400), as recorded in Deed Instrument No. 2001-103691;

10. Thence South $18^{\circ} 30'$ West, along the west line of said last noted tract and the east line of an unnamed 40 foot right-of-way, 152 feet more or less to the point of intersection with the easterly extension of the south line of said Lot 18;
11. Thence North $71^{\circ} 29'30''$ West, along said extension, 40 feet to the point of beginning.

Note: All deed instrument numbers are Clackamas County records. All tax map and tax lot numbers are for reference only and are not to be considered part of the legal description.

Exhibit "B"

CITY OF HAPPY VALLEY
ANNEXATION NO. ANN-01-09
AREA "G"

Legal Description

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

Beginning at the Southwest corner of the southeast quarter of said section, said corner also being on the centerline of S.E. 172nd Ave. (a 60 foot R/W);

1. Thence North, along said centerline and the west line of said southeast quarter, 330.0 feet to the point of intersection with the westerly extension of the south line of a tract of land (13E31D01800) as recorded in deed reference no. 099-076155;
2. Thence East, along said extension, 30 feet to the southwest corner of said tract and the east line of said S.E. 172nd Ave. and the true point of beginning;
3. Thence continuing East, along the south line of said tract, 234 feet to the southeast corner of said tract and the existing city limits of the City of Happy Valley;
4. Thence North, along said city limits and the east line of said tract, 280 feet to the northeast corner of said tract;
5. Thence West, along said city limits and the most northerly north line of said tract 105.0 feet to a 5 foot jog to the south;
6. Thence South, along said city limits and said jog 5 feet;
7. Thence West, along said city limits and the most southerly north line of said tract, 129 feet to the northwest corner of said tract and the east line of S.E. 172 Ave. (a 60 foot R/W);
8. Thence South, along said city limits, and east line and the west line of said tract, 275 feet to the true point of beginning.

Note: All deed instrument numbers are Clackamas County records. All tax map and tax lot numbers are for reference only and are not to be considered part of the legal description.

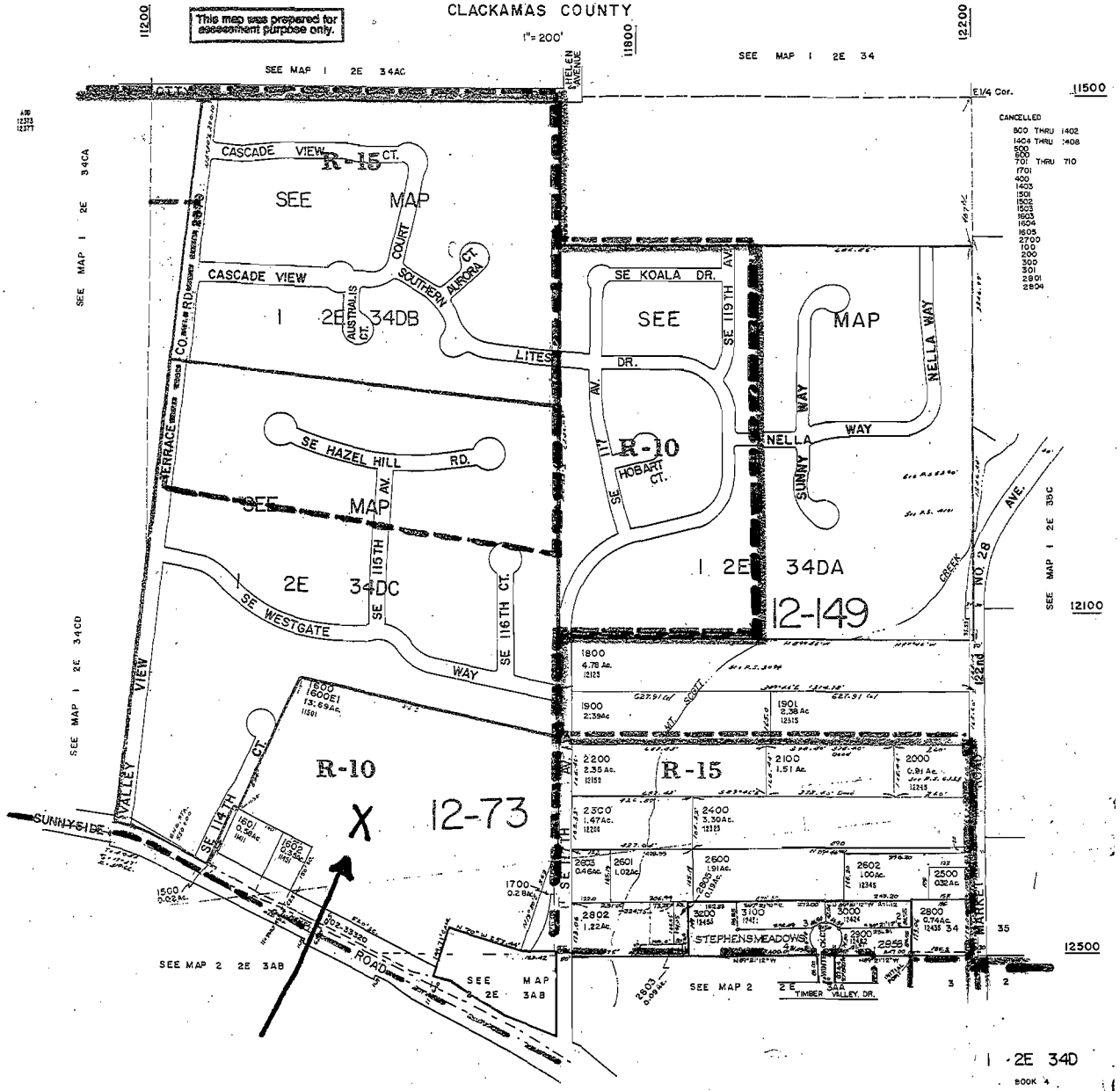
Exhibit "B"

S.E.1/4 SEC. 34 T.1S. R.2E. W.M.
CLACKAMAS COUNTY

1 2E 34D

This map was prepared for
assessment purpose only.

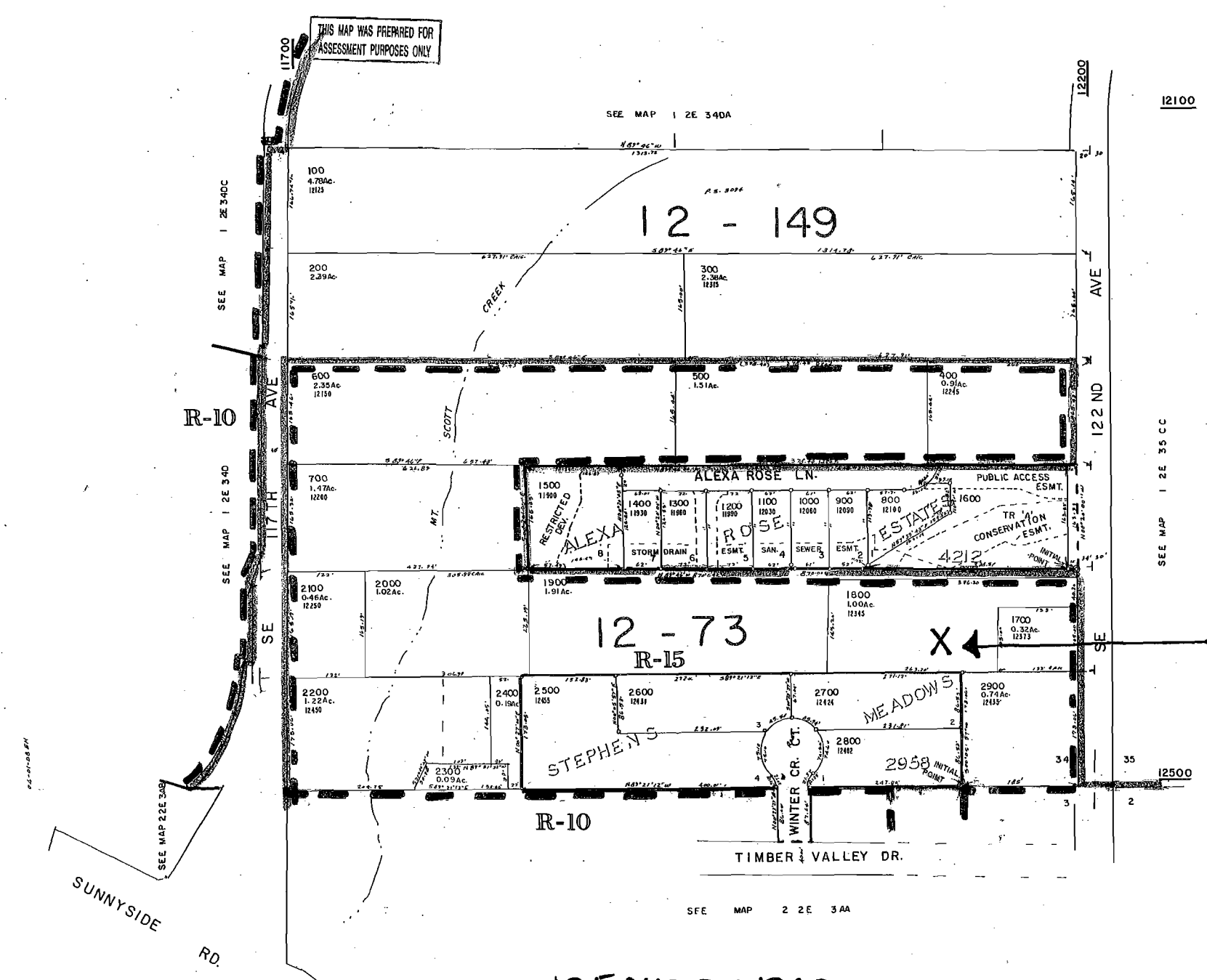
1"=200'



12E34D01600

SW 1/4 SW 1/4 SEC 34 T.1S. R.2E. W.M.
CLACKAMAS COUNTY
1" = 100'

I 2E 34DD



12E34DD01800

I 2E 34DD
BOOK 4

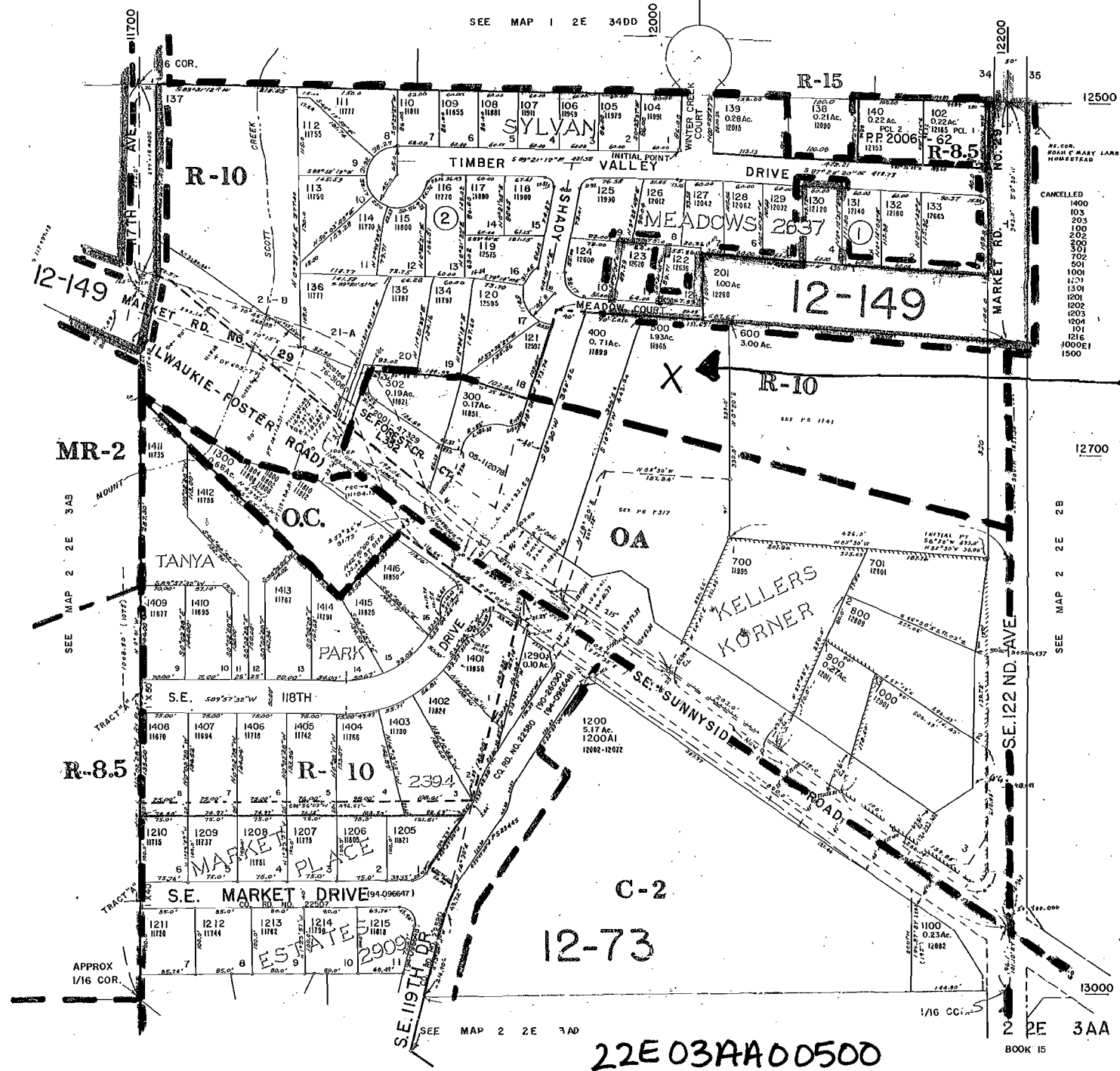
This map was prepared for assessment purposes only.

NE 1/4 NE 1/4 SEC. 3 T.2S. R.2E. W.M.
CLACKAMAS COUNTY

2 2E 3AA

1"=100'

SEE MAP 1 2E 3400



22E 03A 00500

BOOK 10

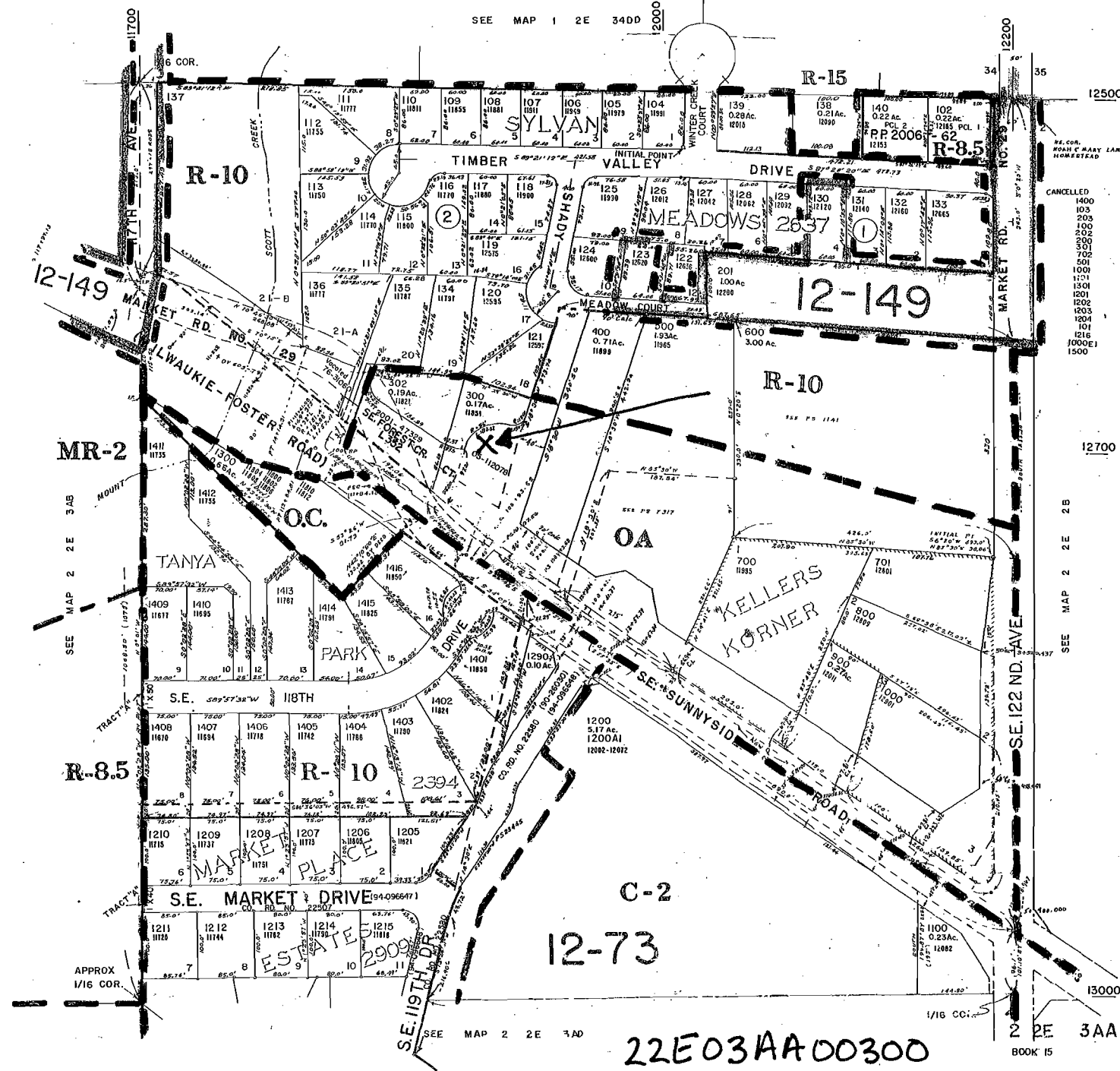
This map was prepared for assessment purposes only.

NE 1/4 NE 1/4 SEC. 3 T.2S. R.2E. W.M.
CLACKAMAS COUNTY

2 2E 3AA

1"=100'

SEE MAP 1 2E 3400



22E03AA00300

2 2E 3AA
BOOK 15

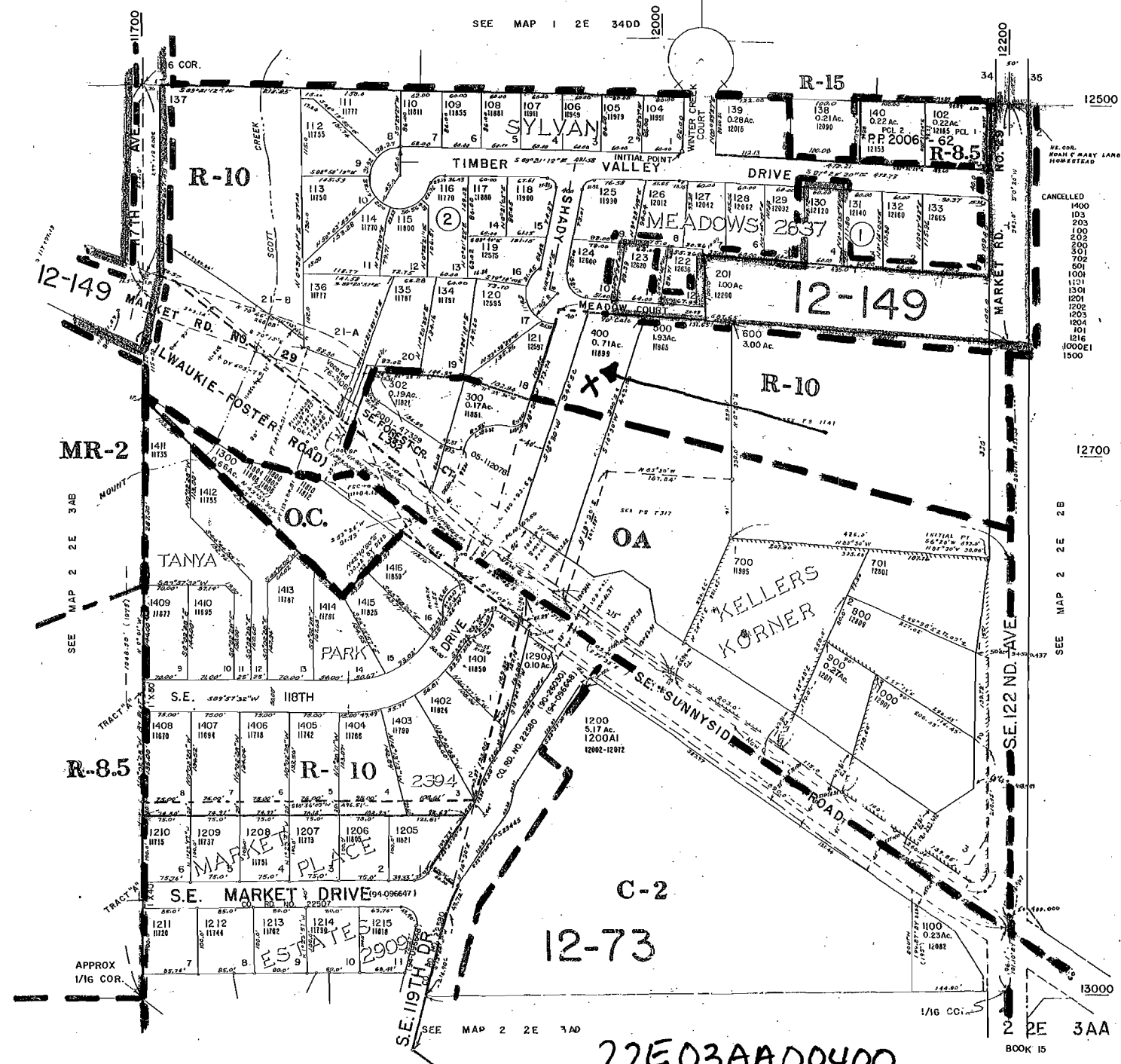
NE 1/4 NE 1/4 SEC. 3 T.2S. R.2E. W.M.
CLACKAMAS COUNTY

2 2E 3AA

This map was prepared for
assessment purpose only.

1"=100'

SEE MAP 1 2E 3400



22E03AA00400

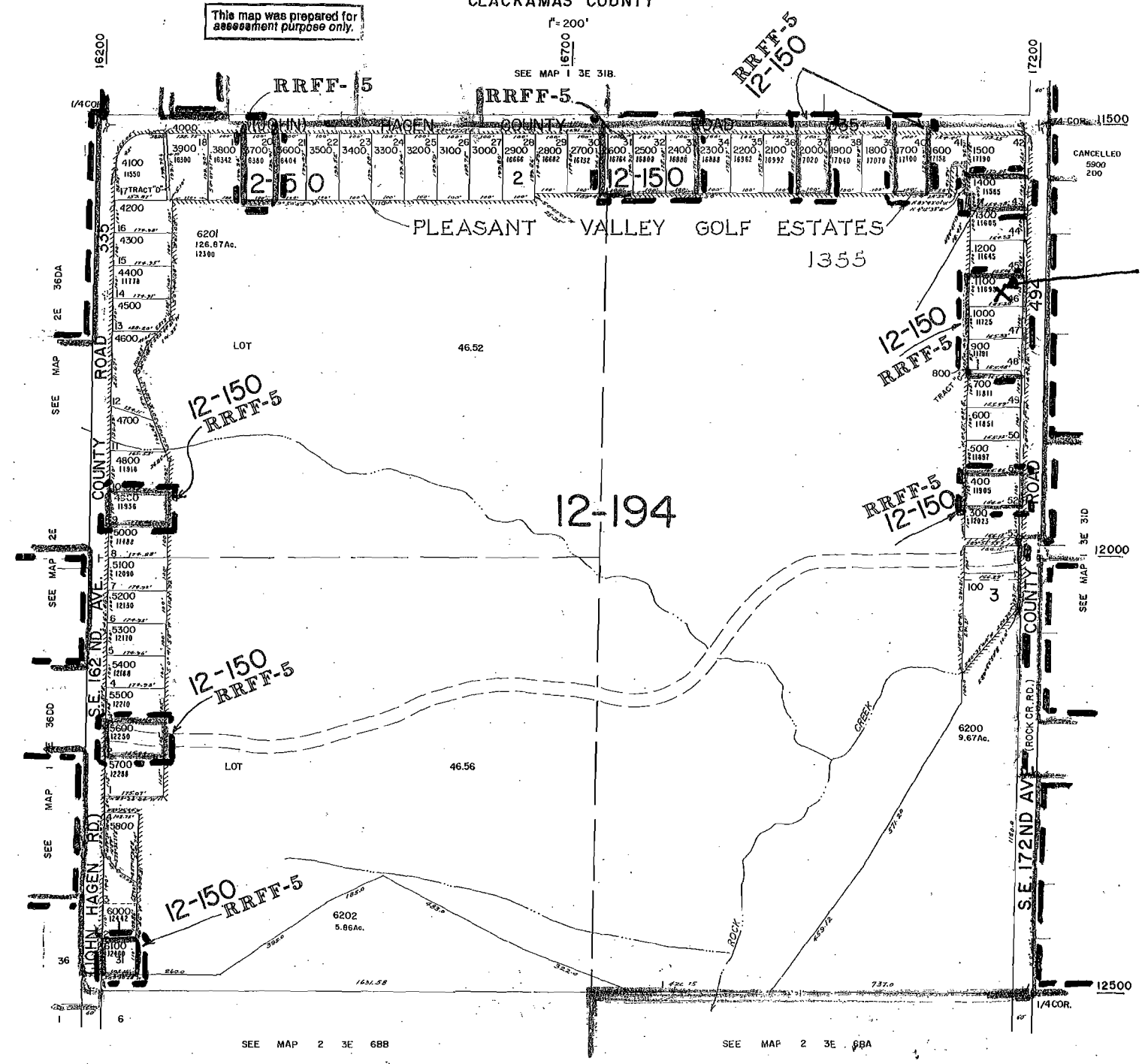
BOOK 15

SW 1/4 SEC. 31 T1S, R3E, W.M.
CLACKAMAS COUNTY

1 3E 31C

This map was prepared for
assessment purpose only.

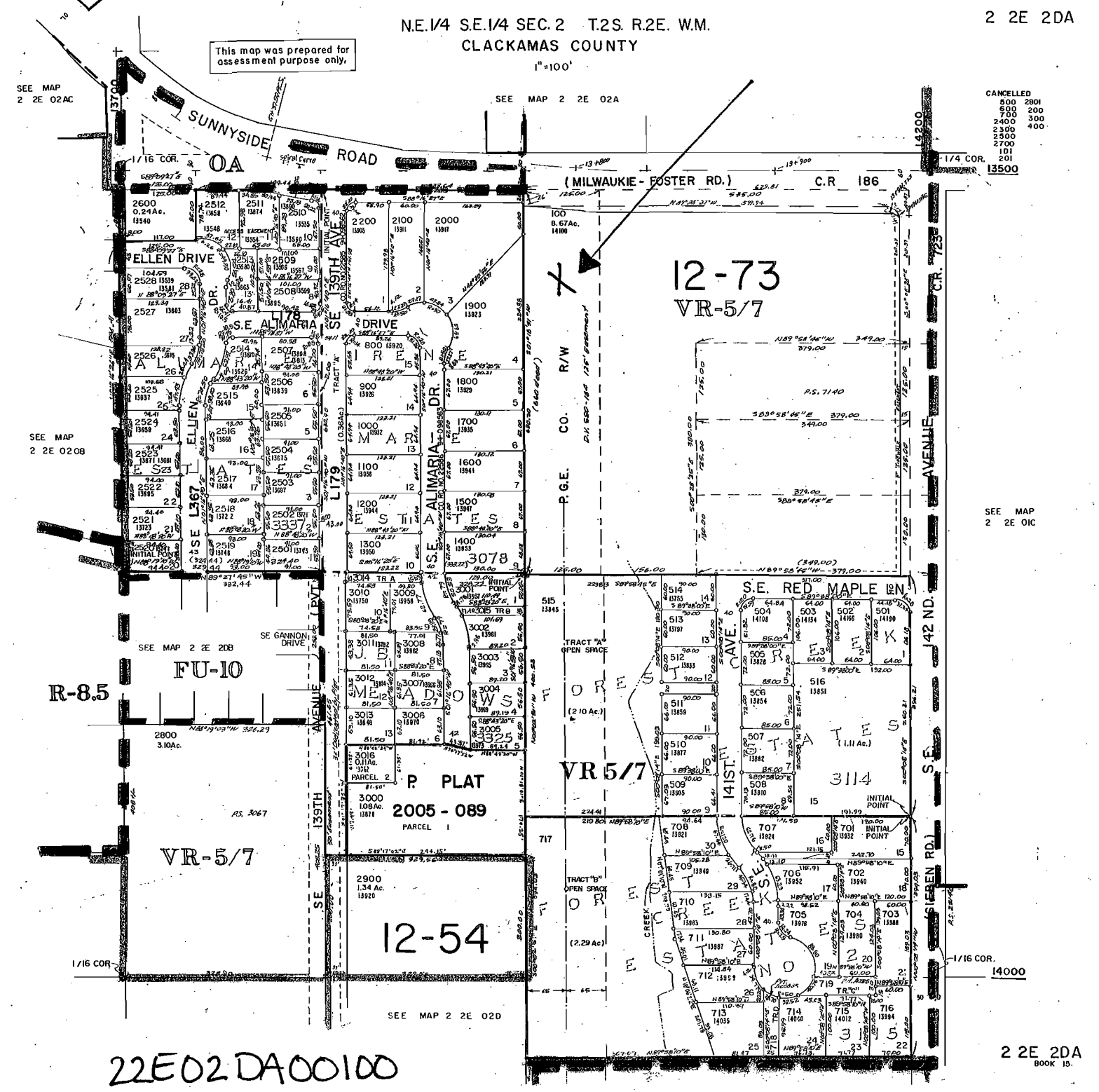
1" = 200'



13E31C01100

1 3E 31C

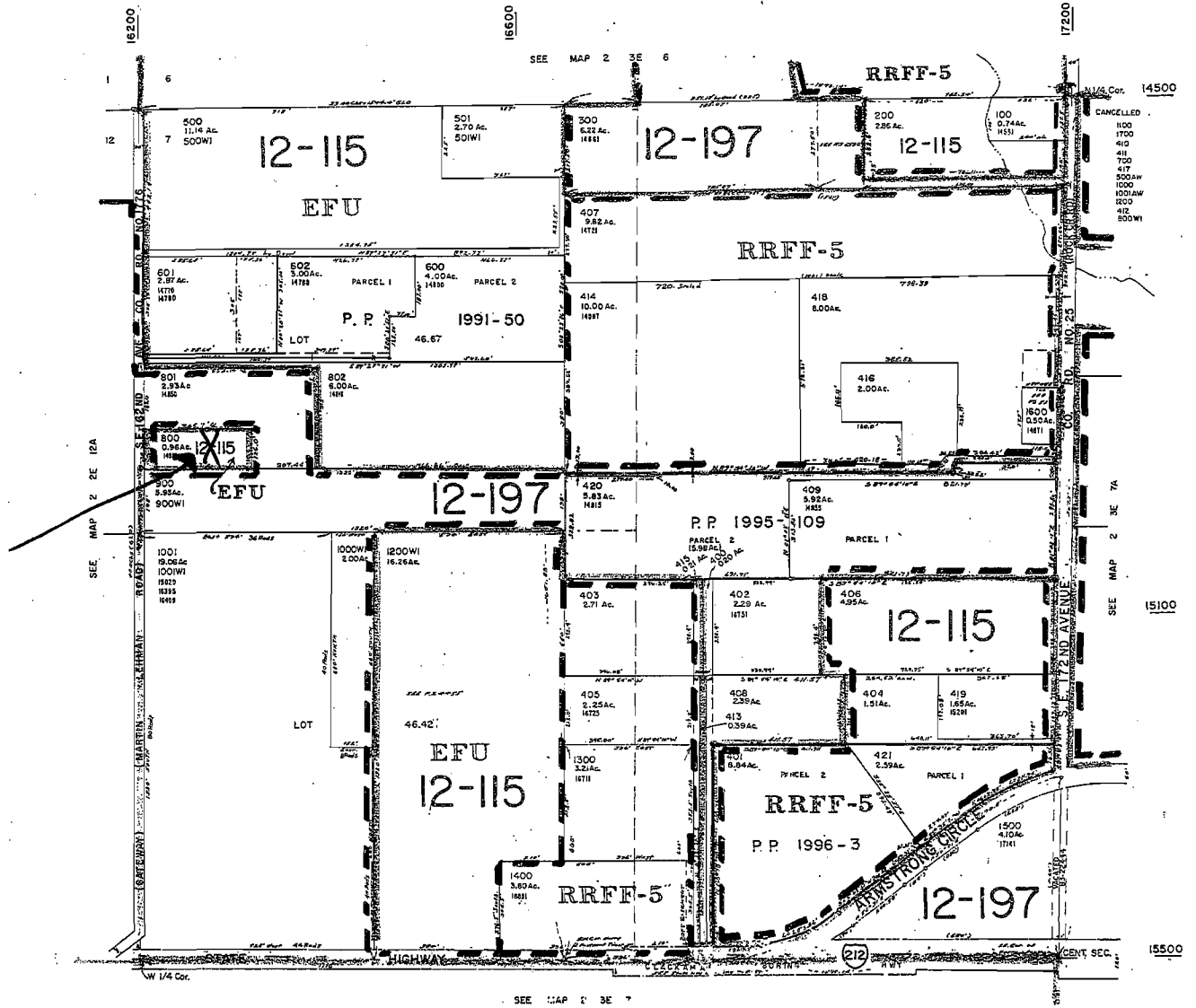
BOOK 5



This map was prepared for assessment purpose only.

NW 1/4 SEC. 7 T2S R3E W.M.
CLACKAMAS COUNTY
1" = 200'

2 3E 7B



SEE MAP 2 3E 7

2 3E 7B

BOOK 20

23E07B00800

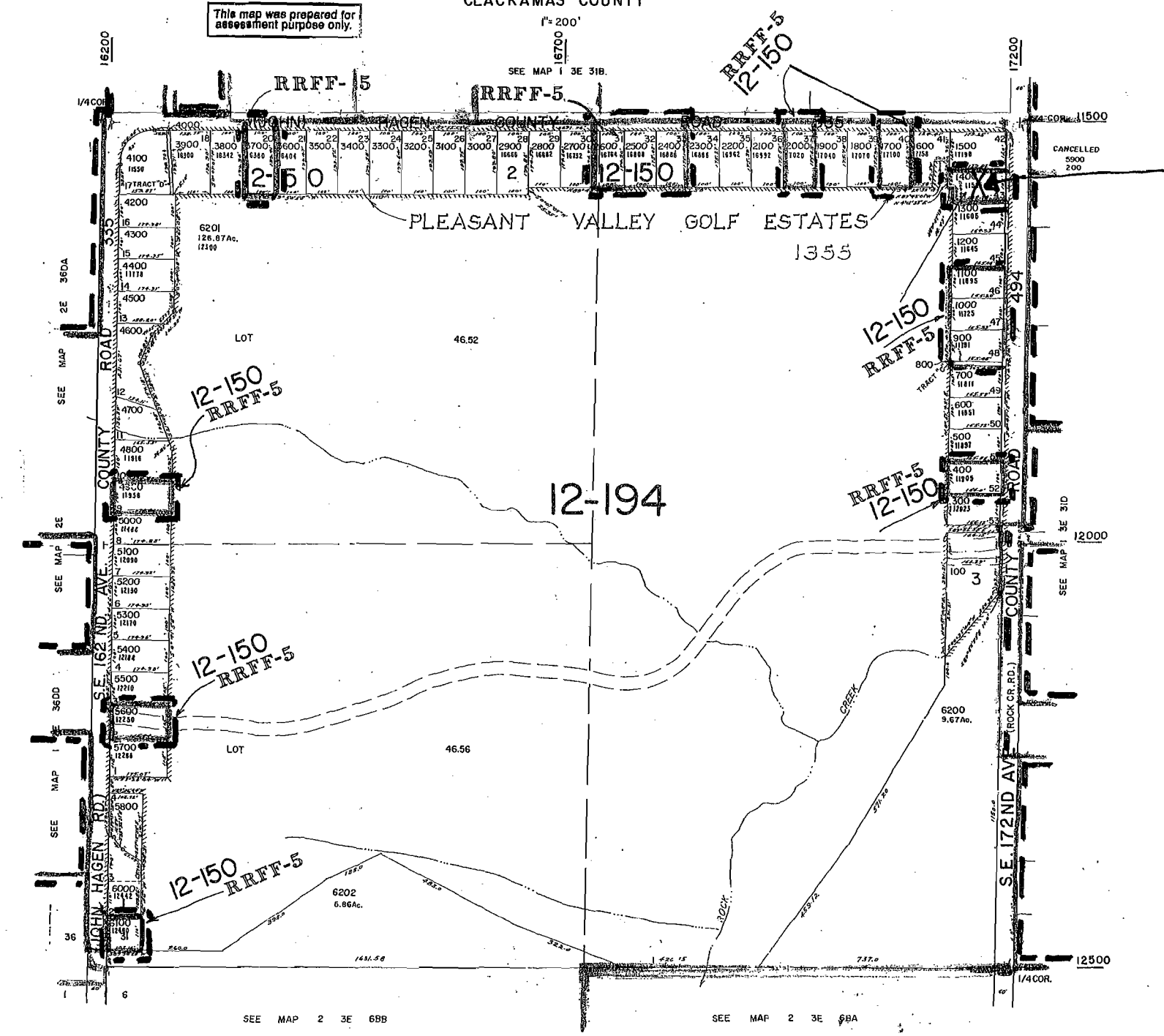
SW1/4 SEC.31 T.1S. R.3E. WM.
CLACKAMAS COUNTY

1 3E 31C

This map was prepared for
assessment purposes only.

1" = 200'

SEE MAP 1 3E 31B



13E 31C 01400

1 3E 31C
BOOK 5

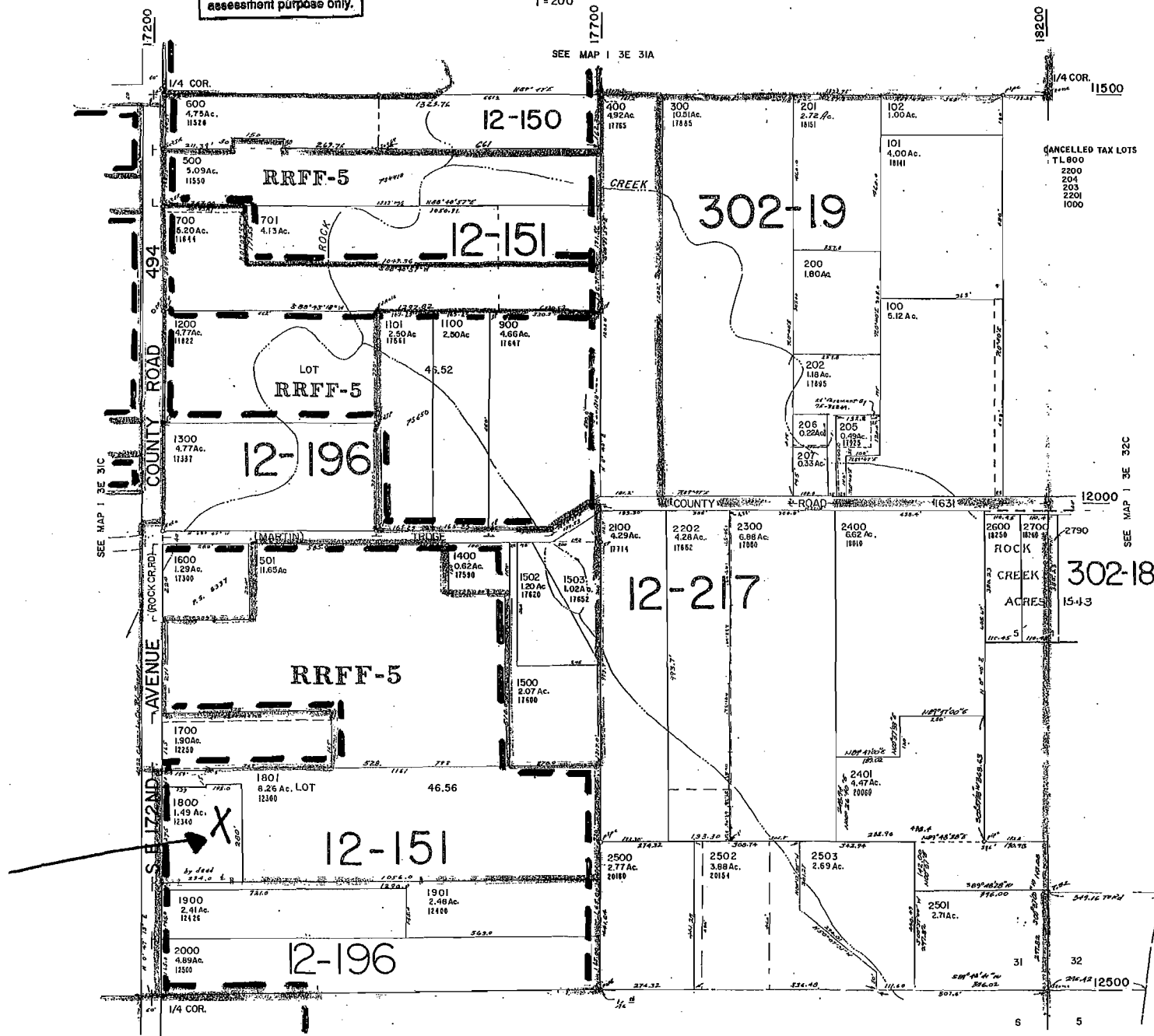
SE 1/4 SEC. 31 T. 1S. R. 3E. W.M.
CLACKAMAS COUNTY

1 3E 31D

This map was prepared for
assessment purpose only.

1"=200'

SEE MAP 1 3E 31A



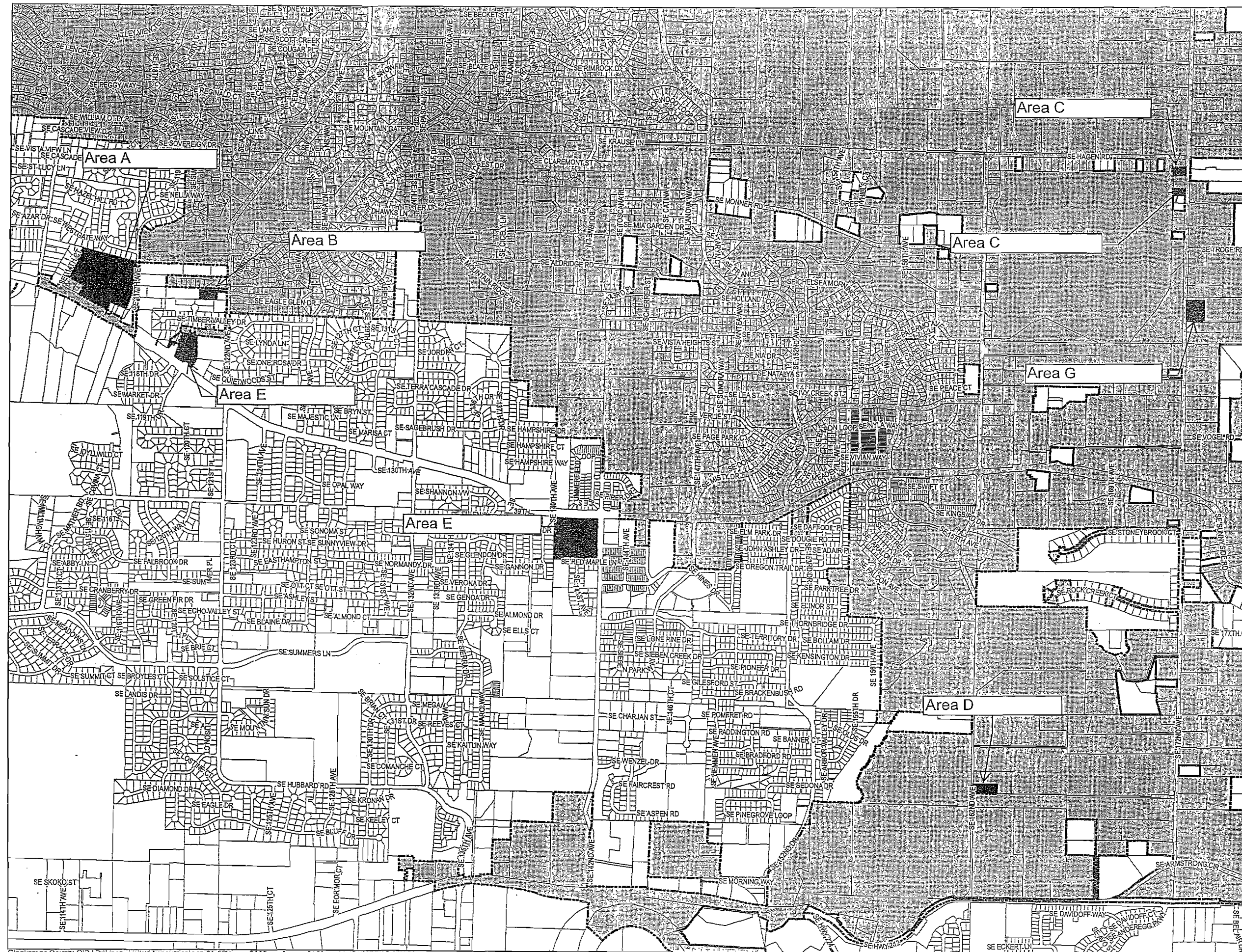
SEE MAP 2 3E 6A




13E31D 01860

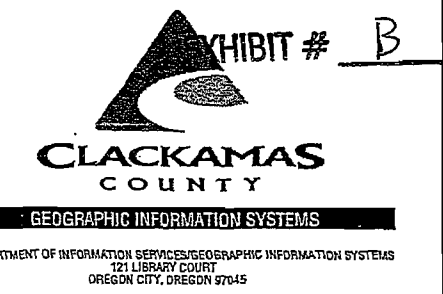
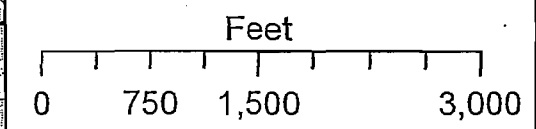
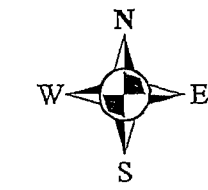
1 3E 31D

BOOK 5

Annexation 01-09 City of Happy Valley



-  Parcels
-  PropAnnex
-  Happy Valley



The information on this map was derived from digital databases from Clackamas County's GIS. Clackamas County cannot assume any responsibility for any errors, omissions, or outdated accuracy, and therefore, there are no warranties which accompany this product. Although information from Land Services may have been used in the creation of this product, it is not a part of the product represented or certified as a Land Survey. Users are cautioned to verify all information on this product before making any decisions.

Data Source: Clackamas County P31

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	ANN-01-09	ANN-01-09												
2	PROPERTY OWNER	TAX MAP/LOT	EXHIBIT #	EHVCP	SITE ADDRESS	CITY	MAILING ADDRESS	STATE	ZIP	ZONING	ACRES	ASSESED VALUE	# DU	# PEOPLE
3	VALLEY VIEW EVAN. CHURCH	12E34D01600	A		11501 SE SUNNYSIDE	CLACKAMAS	SAME	OR	97086	R10	13.43	0.00	0	0
4	SUSAN/KENT ELLIOT	12E34DD01800	B		12345 SE 122ND	CLACKAMAS	SAME	OR	97086	R15	1	157,030.00	1	3
5	DOUGLAS EMBREE	13E31C01400	C		11585 SE 172ND	CLACKAMAS	SAME	OR	97086	RRFF5	0.4	239,453.00	1	5
6	EASTRIDGE COVENANT CHURCH	22E02DA00100	E		14100 SE SUNNYSIDE	CLACKAMAS	SAME	OR	97015	VR57	8.45	0.00	0	0
7	SHELDON DEVELOPMENT	22E03AA00300	F		11851 SE SUNNYSIDE	CLACKAMAS	23765 SE HWY 212, DAMASCUS	OR	97089	R10/OA	0.17	45,943.00	0	0
8	SHELDON DEVELOPMENT	22E03AA00400	F		11899 SE SUNNYSIDE	CLACKAMAS	23765 SE HWY 212, DAMASCUS	OR	97089	R10/OA	0.73	46,433.00	0	0
9	SHELDON DEVELOPMENT	22E03AA00500	F		11965 SE SUNNYSIDE	CLACKAMAS	23765 SE HWY 212, DAMASCUS	OR	97089	R10/OA	1.93	203,613.00	0	0
10	NORTH CLACKAMAS SCHOOL	23E07B00800	D	x			4444 SE LAKE RD, MILWAUKIE	OR	97222	EFU	0.96	0.00	0	0
11	CALVIN WALKER	13E31C01100	C		11695 SE 172ND	CLACKAMAS		OR	97086	RRFF5	0.38	234,609.00	1	2
12	ARLO DEV. COMPANY	13E31D01800	G	x	12340 SE 172ND	CLACKAMAS	0424 SW PENDLETON ST, PDX	OR	97239	RRFF5	1.49	189,779.00	0	0
13														
14														
15														
16														
17														
18														
19														
20														
21														
22														
23											28.94	1,116,860.00		



Bill

CITY OF HAPPY VALLEY
 12915 SE King Road
 Happy Valley, OR 97086
 Phone: 503-760-3325
PETITION TO ANNEX

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

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

The consent for annexation is for the following described property:

11501 SE Sunnyside Road
 Street Address of Property (if address has been assigned)

N/A
 Legal Description (Subdivision Name, Lot number(s))

12E34D 01600 / 01600E1
 Tax Map and Tax Lot Number

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

[Signature] C.L. C.L. 10/21/08
 Signature Owner Initial Voter Initial Date

 Signature Owner Initial Voter Initial Date

[Signature] [Signature] [Signature] 10/21/08
 Other Authorized Signature Owner Initial Voter Initial Date

 Street Address Home Phone Work Phone

 Mailing Address

 City, State and Zip Code

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

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

C.L. Indefinitely, or until _____

[Signature] 10/21/08 [Signature] 10/21/08
 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: N/A Number of people residing in these units: N/A

Bill ✓



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:

11695 SE 172ND AVE.
Street Address of Property (if address has been assigned)

Legal Description (Subdivision Name, Lot number(s))
13E31C 01100

Tax Map and Tax Lot Number

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

<u>Calvin Walk</u> Signature	<u>C.W.</u> Owner Initial	<u>C.W.</u> Voter Initial	<u>2/9/09</u> Date
<u>Susan Walk</u> Signature	<u>SW.</u> Owner Initial	<u>SW.</u> Voter Initial	<u>2/9/09</u> Date

Other Authorized Signature	Owner Initial	Voter Initial	Date
<u>11695 SE 172ND AVE</u> Street Address	<u>503-658-8518</u> Home Phone	<u>503-702-3889</u> Work Phone	

SAME
Mailing Address

HAPPY VALLEY, OR. 97086
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 _____

<u>Calvin Walk</u> Signature	<u>2/9/09</u> Date	<u>Susan Walk</u> Signature	<u>2-9-09</u> 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: 1

Types of housing units: Single family Multi-family Mobile home or trailer

Number of people occupying these units: 2

Bill ✓



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:

12340 SE 172ND AVENUE - HAPPY VALLEY, OR 97086
Street Address of Property (if address has been assigned)
SEE ATTACHED

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

● 1 3E 31D 01800
Tax Map and Tax Lot Number

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

<u>[Signature]</u> Signature	<u>AD</u> Owner Initial	<u>[Signature]</u> Voter Initial	<u>2-13-09</u> Date
---------------------------------	----------------------------	-------------------------------------	------------------------

<u>[Signature]</u> Signature	<u>[Signature]</u> Owner Initial	<u>[Signature]</u> Voter Initial	<u>2-13-09</u> Date
<u>[Signature]</u> Other Authorized Signature	<u>[Signature]</u> Owner Initial	<u>[Signature]</u> Voter Initial	<u>2-13-09</u> Date

12340 SE 172ND
Street Address

503-307-1534
Home Phone

Work Phone

14674 SE Sunnyside #175
Mailing Address

Happy Valley
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 _____

<u>[Signature]</u> Signature	<u>AD</u> Date	<u>2-13-09</u> Date	<u>[Signature]</u> Signature	<u>[Signature]</u> Date	<u>2-13-09</u> 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: 1

Types of housing units: Single family Multi-family Mobile home or trailer

Number of people occupying these units: 3



CITY OF HAPPY VALLEY

12915 SE King Road
Happy Valley, OR 97086
Phone: 503-760-3325

PETITION TO ANNEX

✓
Bill

JAN 26 2009

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:

14100 SE Sunnyside Rd Clackamas OR 97015
Street Address of Property (if address has been assigned)
Sec 02 Township 2S Range 2E Quarter T7A
Legal Description (Subdivision Name, Lot number(s))
22E02DA00 100 DA Tax LOT 00100
Tax Map and Tax Lot Number

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

X <u>[Signature]</u> Signature	<u>AW</u> Owner Initial	<u></u> Voter Initial	<u>1/5/09</u> Date
X <u>[Signature]</u> Signature	<u>[Initials]</u> Owner Initial	<u></u> Voter Initial	<u>1/5/09</u> Date
<u></u> Other Authorized Signature	<u></u> Owner Initial	<u></u> Voter Initial	<u></u> Date

Street Address

Home Phone

Work Phone

Mailing Address

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

City, State and Zip Code

We, the owner(s) of the property described above and/or elector(s) residing on said property understand the annexation
process can take more than a year. Therefore, we agree to waive the one-year time limitation on this consent established
by ORS 222.113 and further agree that this contract shall be effective
indefinitely or until _____

<u>[Signature]</u> Signature	<u>1/5/09</u> Date	<u>[Signature]</u> Signature	<u>1/5/09</u> 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: _____



Bill

CITY OF HAPPY VALLEY
 12915 SE King Road
 Happy Valley, OR 97086
 Phone: 503-760-3325
PETITION TO ANNEX

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

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

The consent for annexation is for the following described property:

11965 SE Sunnyside Rd
 Street Address of Property (if address has been assigned)

22E03AA 00500
 Legal Description (Subdivision Name, Lot number(s))

500
 Tax Map and Tax Lot Number

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

<u>Carym Sheldon</u> Signature	<u>CS</u> Owner Initial	<u>CS</u> Voter Initial	<u>1-26-09</u> Date
-----------------------------------	----------------------------	----------------------------	------------------------

_____ Signature	_____ Owner Initial	_____ Voter Initial	_____ Date
--------------------	------------------------	------------------------	---------------

_____ Other Authorized Signature	_____ Owner Initial	_____ Voter Initial	_____ Date
	<u>503 658 3777</u>	<u>503 805 8741</u>	

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

23765 SE Hwy 212
Mailing Address

Danvers, OR 97089
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 _____

<u>Carym Sheldon</u> Signature	<u>1-26-09</u> 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: 1

Types of housing units: 1 Single family ___ Multi-family ___ Mobile home or trailer

Number of people occupying these units: 2



Bill

CITY OF HAPPY VALLEY
 12915 SE King Road
 Happy Valley, OR 97086
 Phone: 503-760-3325
PETITION TO ANNEX

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

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

The consent for annexation is for the following described property:

11851 SE Sunnyside Rd
 Street Address of Property (if address has been assigned)

22E03AA 00300
 Legal Description (Subdivision Name, Lot number(s))

300
 Tax Map and Tax Lot Number

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

Daumen Shelton MS MS 1-26-09
 Signature Owner Initial Voter Initial Date

 Signature Owner Initial Voter Initial Date

 Other Authorized Signature Owner Initial Voter Initial Date

23765 SE Hwy 212 503 805 8741 503 658 3777
 Street Address Home Phone Work Phone

DAMASCUS, OR 97089
 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 _____

Daumen Shelton 1-26-09 _____ _____
 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: 0
 Types of housing units: Single family ___ Multi-family ___ Mobile home or trailer
 Number of people occupying these units: 0



Bill

CITY OF HAPPY VALLEY
 12915 SE King Road
 Happy Valley, OR 97086
 Phone: 503-760-3325
PETITION TO ANNEX

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

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

The consent for annexation is for the following described property:

11899 SE SonnySide Rd
 Street Address of Property (if address has been assigned)

22E03AA 00400
 Legal Description (Subdivision Name, Lot number(s))

400
 Tax Map and Tax Lot Number

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

[Signature] *CMJ* *OM* 1-26-09
 Signature Owner Initial Voter Initial Date

 Signature Owner Initial Voter Initial Date

 Other Authorized Signature Owner Initial Voter Initial Date

23765 SE Hwy 212 _____ _____
 Street Address Home Phone Work Phone

DAMASCUS OR 97089
 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] 1-26-09 _____ _____
 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: 0
 Types of housing units: 0 Single family _____ Multi-family _____ Mobile home or trailer
 Number of people occupying these units: 0



Bill

CITY OF HAPPY VALLEY
 12915 SE King Road
 Happy Valley, OR 97086
 Phone: 503-760-3325
PETITION TO ANNEX

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

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

The consent for annexation is for the following described property:

12345 S.E. 122nd
 Street Address of Property (if address has been assigned)

TISRRE SECTION 34D
 Legal Description (Subdivision Name, Lot number(s))

2602 1800
 Tax Map and Tax Lot Number

RECEIVED BY
 AUG 28 2008
 CITY OF HAPPY VALLEY

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

<u>[Signature]</u> Signature	<u>HC</u> Owner Initial	<u>HC</u> Voter Initial	 Date
<u>[Signature]</u> Signature	<u>SE</u> Owner Initial	<u>SE</u> Voter Initial	<u>8-18-08</u> Date
 Other Authorized Signature	 Owner Initial	 Voter Initial	<u>8-18-08</u> Date

12345 SE 122nd 503-260-5701
 Street Address Home Phone Work Phone

Happy Valley, Ore 97086
 Mailing Address

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

SAME
 City, State and Zip Code

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

Indefinitely, or until 9-1-09

<u>[Signature]</u> Signature	<u>8-18-08</u> Date	<u>[Signature]</u> Signature	<u>8-18-08</u> 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: 1
 Types of housing units: 1 Single family ___ Multi-family ___ Mobile home or trailer
 Number of people occupying these units: 3



Bill

CITY OF HAPPY VALLEY
 12915 SE King Road
 Happy Valley, OR 97086
 Phone: 503-760-3325
PETITION TO ANNEX

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

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

The consent for annexation is for the following described property:

11585 SE 172nd Ave. Happy Valley, OR 97086
 Street Address of Property (if address has been assigned)

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

13E31C 01400
 Tax Map and Tax Lot Number

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

<u>[Signature]</u> Signature	<u>JB</u> Owner Initial	<u>JB</u> Voter Initial	<u>8-13-08</u> Date
_____ Signature	_____ Owner Initial	_____ Voter Initial	_____ Date
_____ Other Authorized Signature	_____ Owner Initial	_____ Voter Initial	_____ Date

503-658-6651 503-754-9622

Street Address	Home Phone	Work Phone
<u>11585 SE 172 Ave</u>		
Mailing Address	<div style="border: 1px solid black; padding: 5px;"> <p>A legal description and a copy of the assessor's map of the property must be submitted with this petition.</p> </div>	
<u>Happy Valley, OR. 97086</u>		
City, State and Zip Code		

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

<u>[Signature]</u> Signature	<u>8-13-08</u> Date	_____ Signature	_____ Date
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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: 1

Types of housing units: Single family ___ Multi-family ___ Mobile home or trailer

Number of people occupying these units: 3

Bill



CITY OF HAPPY VALLEY
 12915 SE King Road
 Happy Valley, OR 97086
 Phone: 503-760-3325
PETITION TO ANNEX

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

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

The consent for annexation is for the following described property:

14900 SE 162ND AVE, CLACKAMAS OR 97015
 Street Address of Property (if address has been assigned)

SEE ATTACHED (COPY OF DEED)
 Legal Description (Subdivision Name, Lot number(s))

TAX LOT 800 SECT. 7B TOWNSHIP 25 RANGE 3E
 Tax Map and Tax Lot Number

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

<u>[Signature]</u> Signature	<u>[Initials]</u> Owner Initial	<u>[Initials]</u> Voter Initial	<u>7-2-08</u> Date
---------------------------------	------------------------------------	------------------------------------	-----------------------

_____ Signature	_____ Owner Initial	_____ Voter Initial	_____ Date
--------------------	------------------------	------------------------	---------------

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

<u>NOT YET ASSIGNED</u> Street Address	_____ Home Phone	<u>503-353-6072</u> Work Phone
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4444 SE LAKE RD
Mailing Address

MILWAUKIE OR 97072
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 _____.

<u>[Signature]</u> Signature	<u>7-2-08</u> Date	_____ Signature	_____ Date
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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: N/A Number of people residing in these units: N/A

HAPPY VALLEY, OREGON
Resolution No. 5-13

COPY

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

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

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

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

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

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

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

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

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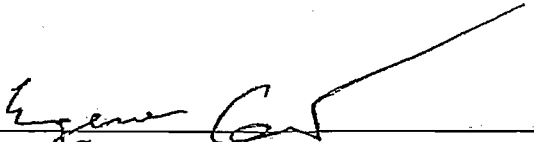
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Section 4. This Resolution shall take effect immediately upon its adoption by the City Council and approval by the Mayor.


COPY

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

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



Eugene Grant
Mayor

Attest:


Marylee Walden
City Recorder

Affidavit of Mailing

State of Oregon)l

)ss: City of Happy Valley
County of Clackamas)l

I, Cheryl Whitehead, Planning Assistant for the City of Happy Valley, hereby provide the following affidavit:

I certify that the ten properties listed on annexation file ANN-01-09 received the Measure 56 and accompanying documentation, a copy of which is attached in the file, on Thursday, March 12, 2009, contained in a sealed envelope, with postage paid. The mailing was deposited at the drop box located at 16000 SE Misty Drive, Happy Valley, Oregon, 97086.

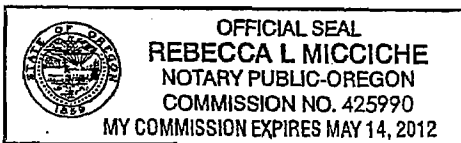
Cheryl Whitehead

Cheryl Whitehead, Planning Assistant

State of OREGON
County of Clackamas

This instrument was acknowledged before me on March 12, 2009

by *Rebecca L. Micciche*



Notary Public-State of Oregon

EXHIBIT # E

NOTICE OF PUBLIC HEARING

CITY OF HAPPY VALLEY CITY COUNCIL

THIS IS TO NOTIFY YOU THAT THE CITY OF HAPPY VALLEY PROPOSES A PLAN AND/OR LAND USE REGULATION THAT MAY AFFECT THE PERMISSIBLE USES OF YOUR PROPERTY AND OTHER PROPERTIES.

This notice is provided in order to comply with Ballot Measure 56 - approved by Oregon voters on November 3, 1998. Ballot Measure 56 requires the City to print the following sentence: "The City has determined that adoption of this ordinance may affect the permissible uses of your property, and other properties in the affected zone, and may change the value of your property."

Notice is hereby given that the

**HAPPY VALLEY CITY COUNCIL will hold a
PUBLIC HEARING on
TUESDAY, APRIL 21, 2009 at 7:00 p.m.**

The hearings will be held at the Happy Valley City Hall
16000 SE Misty Drive,
Happy Valley, OR, 97086

The purpose of these hearings is to consider public testimony on:

ANNEXATION OF TERRITORY CURRENTLY IN UNINCORPORATED CLACKAMAS COUNTY AND AMENDMENTS TO THE CITY'S COMPREHENSIVE PLAN MAP/ZONING MAP

On April 21, 2009, the City of Happy Valley will hold a public hearing regarding proposed annexation of territory into the City and amendments to the City's Comprehensive Plan Map/Zoning Map (File No. ANN-01-09/CPA-03-09). The City will be applying the use of a zoning matrix, which will effectively rezone properties proposed for annexation from the existing Clackamas County zoning designation to an equivalent city zoning designation. The following language is required of Measure 56 notices: *The City of Happy Valley has determined that adoption of this plan may affect the permissible uses of your property, and other properties in the affected area, and may change the value of your property.* These land use files are available for inspection at the City of Happy Valley City Hall, located at 16000 SE Misty Drive, Happy Valley, OR 97086. All written comments must be received by Wednesday, April 1, 2009 at the above address. For additional information concerning the file, please contact Justin Popilek, Assistant Planner at 503-783-3839, or write to justinp@ci.happy-valley.or.us. The City Council is the final local review authority and will consider the Annexation, Comprehensive Plan Map/Zoning Map amendment, and an Ordinance at the public hearing. Applicable criteria for this review are generally set forth in:

- Happy Valley Comprehensive Plan Policies;
- Happy Valley Development Code
- Metro Urban Growth Management Functional Plan; and,
- Oregon Statewide Planning Goals and Statutes.

Assistive Listening Devices (ALD) are available for persons with impaired hearing and can be scheduled for this meeting if requested at least 72 hours prior to the meeting. To obtain such services, please contact Marylee Walden, City Recorder, at 503.783.3800

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 and will consider annexation of territories pursuant to the Expedited Decision process of Metro Code Chapter 3.09.045 and the concurrent legislative conversion of Clackamas County Comprehensive Plan Designation and Zoning to applicable City of Happy Valley Comprehensive Plan Designation and Zoning District to the affected properties pursuant to Section 16.40.080 of the City's Municipal Code in the City Hall Council Chambers, 16000 SE Misty Drive, Happy Valley, Oregon on **Tuesday, April 21, 2009, at 7:00 p.m.**

DOCKET NUMBER
ANN-01-09/CPA-03-09

Affected properties total approximately 28.94 acres of real property and include the following properties as listed by Clackamas County Assessor Map Number:

23E07B 00800	22E03AA00500
12E34D 01600	22E03AA00300
13E31C 01400	22E03AA00400
12E34DD01800	13E31C 01100
22E02DA00100	13E31D 01800

The City Council intends to decide on the Annexations and Comprehensive Plan Map Amendments/Zoning Map Amendments 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 Articles 16.40.020, 16.40.030, 16.40.040, 16.40.041, 16.40.060, 16.40.080, 16.12.070, of the City of Happy Valley Municipal Code, METRO code 3.09, and ORS 222.111, 222.125 and 222.170.

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

The decision-making criteria, application, and records concerning this matter are available at the City of Happy Valley City Hall at the above address during working hours (8:00 a.m. to 4:30 p.m. weekdays), please call for an appointment. For additional information, contact, Michael D. Walter, Planning Director, or Justin Popilek, Assistant 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.

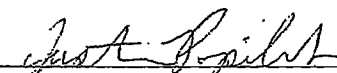

Justin Popilek, Assistant Planner

Exhibit A.



1120 N.W. Couch Street, Tenth Floor
Portland, OR 97209-4128
PHONE: 503.727.2000
FAX: 503.727.2222
www.perkinscoie.com

Michael C. Robinson
PHONE: (503) 727-2264
FAX: (503) 346-2264
EMAIL: MRobinson@perkinscoie.com

March 24, 2009

VIA EMAIL

Mr. Jason A. Tuck
Economic and Community Development Director
City of Happy Valley
16000 SE Misty Drive
Happy Valley, OR 97086

Re: City of Happy Valley File No. ANN-01-09/CPA-03-09

Dear Mr. Tuck:

This office represents Providence Health System - Oregon. Providence has received the enclosed notice regarding annexation of a property adjacent to SE 162nd Avenue (23E07B 00800). On behalf of Providence, I am writing to request that the staff recommend the annexation be subject to a waiver of remonstrance to formation of a local improvement district ("LID"), reimbursement district or other device that will fund the improvement of SE 162nd Avenue.

As you know, interested property owners have been meeting with the City over a period of several months to discuss how best to proceed with the extension of SE 162nd Avenue to the north so that it connects with SE Sunnyside. This benefits not only those property owners because it provides needed road capacity so that the City's vision for development of this employment area can be achieved but it also benefits the community by more effectively linking this part of Happy Valley to the heart of Happy Valley. As properties are annexed, Providence believes that it is important that those properties be conditioned to share the burden and benefit of achieving this necessary transportation improvement.

38638-0003/LEGAL15625796.1

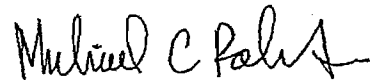
ANCHORAGE • BEIJING • BELLEVUE • BOISE • CHICAGO • DENVER • LOS ANGELES • MENLO PARK
OLYMPIA • PHOENIX • PORTLAND • SAN FRANCISCO • SEATTLE • SHANGHAI • WASHINGTON, D.C.

Perkins Coie LLP and Affiliates

Mr. Jason Tuck
March 24, 2009
Page 2

Please place this letter before the Happy Valley City Council for the public hearing on April 21, 2009 and provide me with written notice of the decision.

Very truly yours,



Michael C. Robinson

MCR:cfr

Enclosures

cc: Mr. Gene Grant (w/encls.) (via email)
Mr. Paul Elsner (w/encls.) (via email)

ORDINANCE NO. 387
CITY OF HAPPY VALLEY

AN ORDINANCE ANNEXING TERRITORY INTO THE CITY OF HAPPY VALLEY, OREGON AND THE NORTH CLACKAMAS PARKS AND RECREATION DISTRICT, WITHDRAWING SAID TERRITORY FROM THE CLACKAMAS COUNTY ENHANCED LAW ENFORCEMENT DISTRICT, DECLARING AN EMERGENCY AND AMENDING OFFICIAL MAP EXHIBIT 11 OF THE CITY OF HAPPY VALLEY LAND DEVELOPMENT ORDINANCE NO. 97.

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-01-09/CPA-03-09); and

WHEREAS, the proposed annexation territory consists of 10 tax lots totaling 28.94 acres of land adjacent to existing City boundaries; and

WHEREAS, the specific tax lots to be annexed include:

12E34D01600, 12E34DD01800, 13E31C01400, 22E02DA00100, 22E03AA00300, 22E03AA00400, 22E03AA00500, 23E07B00800, 13E31C01100, 13E31D01800; and

WHEREAS, the City provided notice that the City Council would consider the annexation petitions, consistent with the applicable notice requirements of (1) applicable provisions of Metro Code Chapter 3.09, (2) Section 2(d) of the Urban Growth Management Agreement dated June 19, 2001, and (3) applicable state law requirements; and

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

WHEREAS, pursuant to Section 16.40.080 of the Happy Valley Municipal Code, eight of the 10 Tax Lots proposed for annexation will be legislatively rezoned from Clackamas County to "equivalent" Happy Valley zoning designations; and

WHEREAS, the City Council considered the proposed annexation and Comprehensive Plan map/Zoning map amendment at its regularly scheduled City Council meeting on April 21, 2009; and

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

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

Now, therefore, based on the foregoing,

THE CITY OF HAPPY VALLEY ORDAINS AS FOLLOWS:

Section 1. The City Council declares the territory described in Exhibit B, and depicted in Exhibit A is annexed to Happy Valley effective April 21, 2009

Section 2. The City of Happy Valley declares through the legislative process that the following city zoning designations shall apply to eight of the Tax Lots proposed for annexation, as pursuant to Section 16.40.080 of the Happy Valley Municipal Code:

- 12E34D01600- Medium Density Residential (R-10)
- 12E34DD01800- Medium-Low Density Residential (R-15)
- 13E31C01100- Residential 5,000 square feet (R-5)
- 13E31C01400- Residential 5,000 square feet (R-5)
- 22E02DA00100- Institutional and Public Use (IPU)
- 22E03AA00300- Mixed Use Commercial (MUC)
- 22E03AA00400- Mixed Use Commercial (MUC)
- 22E03AA00500- Mixed Use Commercial (MUC)

Section 3. The City Council adopts the Annexation Application and Comprehensive Plan Map/Zoning Map Amendment (ANN-01-08/CPA-03-09) and the associated Staff Report to the City Council dated April 21, 2009

Section 4. The territory described in Exhibit A, and depicted in Exhibit B is hereby annexed to the North Clackamas Parks and Recreation District and is withdrawn from the Clackamas County Enhanced Law Enforcement District effective April 21, 2009

Section 5. 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 6. An emergency is declared to exist and as provided by Section 32 of the Happy Valley City Charter this Ordinance takes effect on April 21, 2009

READ for the first time at the regular meeting of the City Council of the City of Happy Valley, Oregon, on April 21, 2009 and read for the second time on April 21, 2009, and adopted by a unanimous vote of the members of the City Council of the City of Happy Valley, Oregon.

CITY OF HAPPY VALLEY

ATTEST:

Mayor Rob Wheeler

Marylee Walden, City Recorder

|||||

CITY OF HAPPY VALLEY
12915 S.E. KING RD.
HAPPY VALLEY, OREGON 97086-6204



Attn: Plan Amendment Specialist
Dept. of Land Conservation &
Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540