



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

12/28/2010

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Creswell Plan Amendment  
DLCD File Number 003-10

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: Tuesday, January 11, 2011

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

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

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

Cc: Denise Walters, City of Creswell  
Gloria Gardiner, DLCD Urban Planning Specialist  
Ed Moore, DLCD Regional Representative

<paa> YA



FORM

2

DLCD

# Notice of Adoption

In person  electronic  mailed

DATE  
STAMP

DEPT OF

DEC 21 2010

LAND CONSERVATION  
AND DEVELOPMENT

For Office Use Only

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

Jurisdiction: **City of Creswell**

Local file number: **ANNEX-2010-01**

Date of Adoption: **December 13, 2010**

Date Mailed: **December 17, 2010**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD?  Yes  No Date: 9/15/10

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other: **Road Annexation**

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

The City initiated annexed of a portion of Harvey Road as part of a joint City-County improvement project. A map of the road portion proposed for annexation is attached.

Does the Adoption differ from proposal? Please select one

No.

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved: **2.5**

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. 003-10 (18528) [16461]

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

Lane County

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Local Contact: **Denise Walters**

Phone: (541) 682-4341 Extension:

Address: **859 Willamette Street, Suite 500**

Fax Number: **541-682-4099**

City: **Eugene**

Zip: **97401**

E-mail Address: **[dwalters@lcog.org](mailto:dwalters@lcog.org)**

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## **ADOPTION SUBMITTAL REQUIREMENTS**

**This Form 2 must be received by DLCD no later than 5 days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)**  
per ORS 197.615 and OAR Chapter 660, Division 18

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

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

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

**ORDINANCE NO 469**

**AN ORDINANCE APPROVING THE ANNEXATION OF A PORTION OF HARVEY ROAD TO THE CITY OF CRESWELL**

**THE CITY OF CRESWELL ORDAINS AS FOLLOWS:**

**WHEREAS**, a request to annex certain territory (a portion of Harvey Road) was submitted on October 11, 2010 (City File Number C CR 2010-ANNEX-2010-01), said territory being described in Exhibit A and generally as the portion of Harvey Road north of Scott Avenue and south of Camrin Loop; and

**WHEREAS**, the Common Council of the City of Creswell was authorized by Creswell Development Code (CDC) Chapter 4.10 and ORS Chapter 222 to accept, process, and act on annexations to the City; and

**WHEREAS**, consistent with CDC 4.10.130, the Common Council of the City may initiate an annexation and did so via Resolution 2010-25; and

**WHEREAS**, the territory proposed to be annexed is road right-of-way in the Creswell Comprehensive Plan urban growth boundary and contiguous to City limits (CDC 4.10.160(A)); and

**WHEREAS**, the proposed annexation is consistent with Creswell Comprehensive Plan policies Sections III.C.1, 9, 10 & 12 and Transportation System Plan where Harvey Road is designated as a major collector; and

**WHEREAS**, the proposed annexation area is approximately 2.5 acres; and

**WHEREAS**, the Staff Report (Exhibit B) and Findings of Fact (Exhibit C) were presented to the Common Council of the City of Creswell on December 13, 2010; and

**WHEREAS**, the Creswell Planning Commission held a public hearing on November 18, 2010, on the proposed annexation, and public notice of said meeting was published on November 4, 2010 in the Creswell Chronicle, a newspaper of general circulation in the City of Creswell, and the public was offered an opportunity to testify along with statements from various officials and staff; and

**WHEREAS**, the Planning Commission has recommended approval of the proposed annexation to the City Council; and

**WHEREAS**, the City Council held a public hearing on December 13, 2010, on the proposed annexation, and public notice of said meeting was published on December 2, 2010, in the Creswell Chronicle, a newspaper of general circulation in the City of Creswell, and the public was offered the opportunity to testify along with statements from various officials and staff; and

**WHEREAS**, on December 13, 2010, the Common Council of the City of Creswell conducted a public hearing and prepared to take action on the application based on the Planning Commission recommendation, findings of fact, and staff report (all hereby incorporated by reference), and the evidence and testimony presented at public hearings held in the matter of adopting this Ordinance.

**NOW THEREFORE, THE COMMON COUNCIL OF THE CITY OF CRESWELL ORDAINS AS FOLLOWS:**

**SECTION 1.** The Common Council of the City of Creswell does approve annexation of the territory (portion of Harvey Road) to the City of Creswell, said territory being described in Exhibit A and generally as that portion of Harvey Road north of Scott Avenue and south of Camrin Loop.


**SECTION 2.** The City Administrator shall send notice of this annexation in the form of a copy of this Ordinance and its exhibits as required by CDC 4.10.180.

**SECTION 3.** This Ordinance shall become effective per the requirements of CDC Section 4.10.180, ORS 222.040, ORS 222.180 or ORS 222.465, as applicable.

ADOPTED by the Common Council of the City of Creswell this 13<sup>th</sup> day of December, 2010, by a vote of 7 for and 0 against.

PASSED BY THE COMMON COUNCIL & APPROVED BY THE MAYOR THIS 13<sup>th</sup> DAY OF DECEMBER, 2010.

ATTEST:

  
\_\_\_\_\_  
Roberta J. Tharp, City Recorder

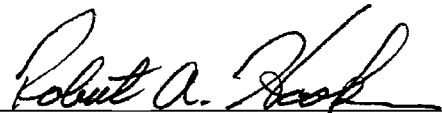
  
\_\_\_\_\_  
Robert A. Hooker, Mayor

EXHIBIT A

Annexation of Territory to the City of Creswell  
File C CR 2010 – ANNEX 2010-01

Includes a portion of Harvey Road located in Sections 10, 11, and 14 T19S R03W

Beginning at a point which is the Southwest corner of Lot 38, Craig Estates First Addition, County Survey File No. 40783, November 6, 2007, said point also being on the East right-of-way of County Road No. 1088 (Harvey Road, varying widths) and also being on the city limits of the City of Creswell in Section 11 Township 19 South Range 03 West of the Willamette Meridian; thence leaving said East right-of-way and continuing along said city limits N89°44'51"W 60.00 feet more or less to the West right-of-way of said County Road No. 1088; thence leaving said city limits and along said West right-of-way South 1,730.00 feet more or less to the Northeast corner of Lot 16, Block 4, The A. C. Borhnstedt Company Addition to Creswell, Book 4, Page 55, Lane County Oregon Plat Records; thence continuing South 35.00 feet more or less to a point being 65.00 feet South of the south line of Block 15, said A. C. Borhnstedt Company Addition to Creswell, if extended to the West, also being on said city limits; thence leaving said West right-of-way and along said city limits East 60.00 feet more or less to the East right-of-way of said County Road; thence leaving said city limits and along said East right-of-way North 1,765.00 feet more or less to the Point of Beginning, all in Lane County, Oregon.

**Exhibit B**

**CRESWELL CITY COUNCIL  
STAFF REPORT**

**CITY INITIATED ANNEXATION OF  
A PORTION OF HARVEY ROAD**

**(CCR2010-ANNEX-2010-01)**

**Application Received:** October 11, 2010

**Referrals Provided to:** Ron Staehlin, City Engineer  
Roy Sprout, Public Works Director  
Kristina Deschaine, Fire Marshal  
Stephanie Schulz, Lane County Land Management  
Tom Jeffreys, EPUD  
Lane County Elections  
Creswell School District  
Creswell Library District

**Notice Mailed:** October 20, 2010  
**Notice Published:** November 4, 2010 & December 2, 2010  
**Report Date:** November 10, 2010  
**PC Meeting Date:** November 18, 2010  
**City Council Date:** December 13, 2010

**I. BASIC DATA**

**APPLICANT:** City of Creswell

**PROPERTY OWNER:** Lane County

**LOCATION:** Portion of Harvey Road north of Scott Avenue and south of Camrin Loop

**ASSESSORS MAP, TAX LOT:** Road Right-of-Way

**AREA:** 2.5 acres

**PLAN DESIGNATION/ZONING:** Road Right-of-Way

**VICINITY MAP**



## II. REQUEST and BACKGROUND

### Request

The City proposes to annex a portion of Harvey Road that has been improved to urban standards as part of a joint project conducted by the City and Lane County. As part of this improvement project the City agreed to annex a portion of Harvey Road which will become North 5<sup>th</sup> Street once annexed into the City.

### Background

In 2006 the City began working with Lane County on the Harvey Road Improvement Project. As part of the project design and agreement, the City would annex the portion in the Urban Growth Boundary, request surrender from Lane County, and assume maintenance responsibilities.



### III. ISSUES

None.

### IV. COMMENTS.

#### A. AGENCY COMMENTS

**Ron Staehlin, City Engineer**, October 31, 2010

-I have reviewed the Harvey Road Annexation Information(Case Number C CR 2010-ANNEX-2010-01) and have the following comment: In Exhibit A, the legal description, add the word "or" at the end of the 9th line.

**Roy Sprout, Public Works Director**, November 10, 2010

- No comment.

**Kristina Deschaine, State Fire Marshal**, November 10, 2010

- No comments.

#### B. PUBLIC COMMENTS

**Jerrel Terry, 33184 Nieblock Lane, Creswell**, November 18, 2010

I object to the annexation of the portion of Harvey Road that is under consideration; specifically the portion that adjoins my property at 33418 Nieblock Lane.

The believe that the results of giving the City of Creswell the authority over this portion of the road will allow them to make decisions about my property. Specifically, but not limited to the use of fencing, placement of Flora and structures, and costs of road and sidewalk repairs. My property does not fall within the City Limits of Creswell so these decisions and others, could be made in disregard to my best interests and without allowing me the right to representation on the Planning Commission, City Council and other Government affairs.

STAFF RESPONSE: Annexation of existing Harvey Road right-of-way does not give the City jurisdiction over 33418 Nieblock Lane which remains under Lane County jurisdiction

### V. STAFF RECOMMENDATION

Based on the findings in the *Proposed Findings of Fact*, staff finds that the proposal meets the requirements of the Creswell Development Code.

## **VI. POSSIBLE ACTIONS BY THE CITY COUNCIL**

The City Council shall review the plan, the reports of the appropriate officials and agencies, and public commentary. The Council may hold the record open for the submission of additional written material. The Mayor shall specify the time that the record shall remain open and the nature of the written submissions that may be received while the record remains open.

After the close of the record in the public meeting the City Council shall make findings based on the applicable criteria and issue a decision. The Council may:

- A. Approve the annexation request as submitted.
- B. Deny the annexation request and adopt findings of fact in support of denial.
- C. Request more information if and as needed; and postpone decision.

The Council's decision shall provide justification for the approval, approval with conditions, or the denial of the application.

**EXHIBIT C**  
**CRESWELL CITY COUNCIL**  
**PROPOSED FINAL ORDER/FINDINGS OF FACT**  
**ANNEXATION OF A PORTION OF HARVEY ROAD**  
**(CCR-201-ANNEX-2010-01)**

Planning Commission Hearing Date: November 18, 2010  
City Council Hearing Date: December 13, 2010  
Findings Adopted: December 13, 2010  
Decision Date: December 13, 2010

**I. FINDINGS AND CONFORMANCE WITH APPLICABLE CRITERIA**

**The Creswell Planning Commission and City Council finds the following:**

1. The applicant submitted an application for annexation (CCR2010-ANNEX-2010-01) for a portion of Harvey Road, and provided all information required by applicable sections of the Creswell Development Code, Ordinance No. 449.
2. The Planning Commission met on November 18, 2010 and the City Council met on December 13, 2010, to review and discuss the application. The Commission and Council reviewed all material relevant to the application, including the following pieces of evidence:

Application for Annexation;

Staff Report dated November 10, 2010;

Written Submissions: Ron Staehlin, City Engineer

Oral Testimony: See minutes of Planning Commission Public Hearing and City Council Hearing November 18, 2010 and December 13, 2010 respectively.

3. The Planning Commission and City Council provided proper notice of the public hearing according to Section 4.1.500 of the Creswell Development Code.
4. The Planning Commission and City Council followed the required procedures and standards as set forth in Section 4.1.500 of the Creswell Development Code.
5. The application meets or can meet all of the relevant Creswell Comprehensive Plan and Development Code requirements for an Annexation contained in Sections III.C.1, 9, 10 & 12 of the Creswell Comprehensive Plan: and the following Sections of the Creswell Development Code: Section 4.1.500-Type IV Procedure; Chapter 4.10-Annexations and Withdrawals; and other applicable sections of the Code. Each relevant Creswell Development Code standard is listed in *italics*, followed by a response.

*CDC 4.10.120 Review and Recommendation.*

*Annexation applications are reviewed under Type IV procedures per Section 4.1.500, without Planning Commission consideration. The City Administrator shall forward a written recommendation on the annexation application to the City Council based on the approval criteria specified in Section 4.10.160. The City Council shall approve proposed annexations by Ordinance.*

**FINDING:** The proposal is consistent with review procedures because the Planning Commission held a public hearing on November 18, 2010 providing recommendation to City Council which held a Public Hearing on December 13, 2010 for the subject annexation request.

*CDC 4.10.130 Annexation Initiation.*

*An annexation application may be initiated by City Council resolution, or by written consents from electors and/or property owners as provided for in this Chapter below.*

**FINDING:** The proposal is consistent with the initiation process because it is initiated by City Council Resolution 2010-25.

*CDC 4.10.140 Application Requirements.*

*In addition to the provisions specified in other sections of this Code, an annexation application shall include the following:*

- A. A list of all owners, including partial holders of owner interest, within the affected territory, indicating for each owner:*
- 1. The affected tax lots, including the township, section and range numbers;*
  - 2. The street or site addresses within the affected territory as shown in the Lane County Regional Land Information Database system (RLID);*
  - 3. A list of all eligible electors registered at an address within the affected territory; and*
  - 4. Signed petitions, as may be required.*

**FINDING:** The proposal is consistent with these requirements because the area propose for annexation is public right-of-way so there is no tax lot, site addressed within the affected territory, or eligible electors.

- B. Written consents on City approved petition forms that are:*
- 1. Completed and signed, in accordance with ORS 222.125, by:*
    - a. All of the owners within the affected territory; and*
    - b. Not less than 50 percent of the eligible electors, if any, registered within the affected territory; or*
  - 2. Completed and signed, in accordance with ORS 222.170, by:*
    - a. More than half the owners of land in the territory, who also own more than half the land in the contiguous territory and of real property therein representing more than half the assessed value of all real property in the contiguous territory [ORS 222.170(1)]; or*
    - b. A majority of the electors registered in the territory proposed to be annexed and a majority of the owners of more than half the land. [ORS 222.170(2)]*
    - c. Publicly owned rights-of-way can be added to annexations initiated by these two methods without any consents.*
- C. A City Council resolution to initiate a boundary change, including but not limited to rights-of-way.*
- D. In lieu of a petition form described in Subsection 2 above, an owner's consent may be indicated on a previously executed Consent to Annex form that has not yet expired as specified in ORS 222.173.*

- E. *Verification of Property Owners form signed by the Lane County Department of Assessment and Taxation.*
- F. *A Certificate of Electors form signed by the Lane County Elections/Voter Registration Department including the name and address of each elector.*
- G. *An ORS 197.352 waiver form signed by each owner within the affected territory.*
- H. *A waiver form signed by each owner within the affected territory as allowed by ORS 222.173.*
- I. *A legal description of the affected territory proposed for annexation consistent with ORS 308.225 that will include contiguous or adjacent right-of-way to ensure contiguity as required by ORS 222.111.*
- J. *A Lane County Assessor's Cadastral Map to scale highlighting the affected territory and its relationship to the city limits.*
- K. *A list of the special districts providing services to the affected territory.*
- L. *A public/private utility plan describing how the proposed affected territory can be served by key facilities and services.*
- M. *A signed Annexation Agreement to resolve fiscal impacts upon the City caused by the proposed annexation. The Annexation Agreement shall address, at a minimum, connection to and extension of public facilities and services. Connection to public facilities and services shall be at the discretion of the City, unless otherwise required by ORS. Where public facilities and services are available and can be extended, the applicant shall be required to do so.*
- N. *A written narrative addressing the proposal's consistency with the approval criteria specified in Section 4.10.160.*

**FINDING:** The proposal is consistent with these criteria because all applicable elements have been submitted. The area proposed for annexation is public right-of-way rendering some submittal elements not applicable.

***CDC 4.10.160 Criteria.***

*An annexation application may be approved only if the City Council finds that the proposal conforms to the following criteria:*

- A. *The affected territory proposed to be annexed is within the City's urban growth boundary, and is: 1. Contiguous to the City limits; or 2. Separated from the City only by a public right-of-way or a stream, lake or other body of water.*

**FINDING:** The proposal is consistent with this criterion because the subject annexation is located within the acknowledged urban growth boundary (UGB) of the Creswell Comprehensive Land Use Plan (Creswell Comp Plan).

- B. *The proposed annexation is consistent with applicable policies in the Creswell Comprehensive Plan and in any applicable refinement plans;*

**FINDING:** The Creswell Comp Plan was acknowledged by the Land Conservation and Development Commission (LCDC) in 1982 and has been subsequently amended. The annexation area is located within the acknowledged UGB of the Creswell Comp Plan. The following policies apply to the proposal:

**C. 1. CITIZEN INVOLVEMENT**

**FINDING:** The proposal is consistent with citizen involvement requirements because the Type IV review procedures including two public hearings have been followed.

**C. 9. PUBLIC FACILITIES AND SERVICES POLICIES**

**Public Works-Public Streets**

*(n) The City shall encourage the improvements of sub-standards City streets through a City Urban Growth Area Storm drainage study and master plan.*

**FINDING:** The proposal is consistent with this policy because the right-of-way has been improved to urban standards through a joint City-Lane County project of which annexation is a component.

**C. 9. PUBLIC FACILITIES AND SERVICES POLICIES**

**Collector Streets**

*(o) For urban collector streets, the City shall require the provision of curbs and gutters, storm drainage and sidewalks with bicycle/handicapped ramps at intersections, bicycle paths and street lighting.*

*(p) The City shall encourage the upgrading and improvement of rural collector Streets to County standards as traffic demands.*

**FINDING:** The proposal is consistent with these policies because Harvey Road was improved to urban standards as part of a joint City-Lane County project and annexation of the right-of-way brings a fully improved collector into the City limits.

**C. 12. URBANIZATION POLICIES**

*(b) Urbanization of land within the established Urban Growth Boundary shall be consistent with City annexation policies and public facilities expansion plans.*

**FINDING:** The proposal is consistent with this policy because the right-of-way is within the UGB, Harvey Road/North 5<sup>th</sup> Street is identified as a collector in the City's Transportation System Plan, and is consistent with annexation policies as discussed in these findings of fact.

*C. The proposed annexation will result in a boundary in which key services can be provided.*

**FINDING:** The extension of urban facilities will be assisted by the annexation of the right-of-way and the jurisdictional transfer will reduce any confusion surrounding jurisdictional responsibility.

**Water Facilities:** Annexation to the city will reduce any jurisdictional confusion as future development occurs along Harvey Road. As annexations occur, urban facilities and services can be provided without the need to coordinate with multiple governmental agencies.

**Sanitary Facilities:** Annexation to the city will reduce any jurisdictional confusion as future development occurs along Harvey Road. As annexations occur, urban facilities and services can be provided without the need to coordinate with multiple governmental agencies.

**Solid Waste:** Existing providers will continue to use the road right-of-way to provide this service. Annexation to the city will reduce any jurisdictional confusion as future development occurs.

Community Protection: The annexation is within South Lane County Fire and Rescue and will remain in the district after annexation to the city. The city is within the boundaries of the fire district and receives fire services from the district.

Transportation: Harvey Road has been improved to city standards. Annexation is the appropriate next step in transferring jurisdictional responsibility to the city.

Land Use: After annexation to the city, land use services will be provided by the City of Creswell. Annexation to the city will reduce any jurisdictional confusion as future development occurs.

The property proposed for annexation is all existing road right-of-way. Annexation of this right-of-way will assist in the delivery of urban services as required by the comprehensive plan.

*D. Where applicable, fiscal impacts to the City have been mitigated through an Annexation Agreement or other mechanism approved by the City Council.*

**FINDING:** This criterion is not applicable because the subject area is right-of-way that has already been improved to urban standards.

**4.10.180 Effective Date and Filing of Approved Annexation**

*A. The effective date of an approved annexation shall be set in accordance with ORS 222.040, 222.180 or 222.465. See also Section 4.10.500.K, Final Decision and Effective Date.*

*B. Filing of Approved Annexation.*

- 1. Not later than 10 working days after the passage of an Ordinance approving an annexation, the City Administrator shall:*
  - a. Send by certified mail a notice to public utilities (as defined in ORS 757.005), electric cooperatives, and telecommunications carriers (as defined in ORS 133.721) operating within the City; and*
  - b. Mail a notice of the annexation to the Secretary of State, Department of Revenue, Lane County Clerk, Lane County Assessor, affected districts, and owners and electors in the affected territory. The notice shall include:*
    - (1) A copy of the Ordinance approving the annexation;*
    - (2) A legal description and map of the annexed territory;*
    - (3) The findings; and*
    - (4) Each site address to be annexed as recorded on Lane County assessment and taxation rolls or found in RLID.*
  - c. The notice to the Secretary of State will also include copies of the petitions signed by electors and/or owners of the affected territory as required in this Section.*
- 2. If the effective date of an annexation is more than one year after the City Council passes the Ordinance approving it, the City Administrator shall mail a notice of the annexation to the Lane County Clerk not sooner than 120 days and not later than 90 days prior to the effective date of the annexation.*

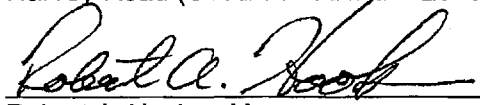
**INFORMATIONAL:** If the annexation is approved by the City Council on December 13, 2010, the Ordinance will become effective a minimum of 30 days after the date of the reading as required by the CDC and Oregon law. The Ordinance must be filed with the Secretary of State, Department of Revenue, Lane County Clerk, Lane County Assessor, affected districts, and Owner/electors in the affected territory per CDC 4.10.180.

## II. SUMMARY AND CONCLUSIONS

Based on the findings stated above, the annexation application meets the requirements of the Creswell Development Code for approval. The proposal is consistent with all City ordinances, plans, and state and federal laws.

## III. DECISION

The Creswell City Council approves the City initiated annexation proposal for a portion of Harvey Road (CCR2010-ANNEX-2010-01).



Robert A. Hooker, Mayor  
Creswell City Council

12-13-10  
Date



Lane Council of Governments  
859 Willamette St., Suite 500  
Eugene, OR 97401-2910

Plan Amendment Specialist  
Department of Land Conservation & Development  
635 Capitol St. NE, Ste. 150  
Salem, OR 97301-2540