



# 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

04/14/2011

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Happy Valley Plan Amendment  
DLCD File Number 002-11

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, April 29, 2011

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. 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: Justin Popilek, City of Happy Valley  
Gloria Gardiner, DLCD Urban Planning Specialist

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FORM 2

DLCD

# Notice of Adoption

[8659T] (92748T) 11-200

In person  electronic  mailed

APR 11 2011

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 Happy Valley

Local file number:

Date of Adoption: 4-5-11

Date Mailed: 4-8-11

ANN-01-11/LDC-01-11/CPA-01-11

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD?  Yes  No 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".

Annexed 11 properties, totaling 3.76 acres, and conversion of the existing Clackamas County zoning (RRFF-5, FF-10, and R-8.5) on the subject properties to City zoning (R8.5, R-10, and IPU).

Does the Adoption differ from proposal? Please select one

NO

Plan Map Changed from: County LDR and R

to: City R-8.5, R-10, and IPU

Zone Map Changed from:

to: City R-8.5, R10, and IPU

Location: Varies

County RRFF-5, FF-10, and R-8.5

Acres Involved: 3.76

Specify Density: Previous: Varies

New: Varies

Applicable statewide planning goals:

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

Was an Exception Adopted?  YES  NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes  No

If no, do the statewide planning goals apply?

Yes  No

If no, did Emergency Circumstances require immediate adoption?

Yes  No

DLCD file No. \_\_\_\_\_

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

City of Happy Valley  
Metro

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Local Contact: Justin Popilek	Phone: (503) 783-3810 Extension:
Address: 16000 SE Misty Drive	Fax Number: 503-658-5174
City: Happy Valley	E-mail Address:
Zip: 97086	justinp@ci.happy-valley.or.us

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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, please print this **Form 2** on light green paper if available.
3. Send this Form 2 and One (1) Complete Paper Copy and One (1) Electronic Digital CD (documents and maps) of the Adopted Amendment to the address in number 6:
4. **Electronic Submittals: Form 2 – Notice of Adoption will not be accepted via email or any electronic or digital format at this time.**
5. The Adopted Materials must include the final decision signed by the official designated by the jurisdiction. The Final Decision must include approved signed ordinance(s), finding(s), exhibit(s), and any map(s).
6. **DLCD Notice of Adoption must be submitted in One (1) Complete Paper Copy and One (1) Electronic Digital CD via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.** (for submittal instructions, also see # 5)] **MAIL the PAPER COPY and CD 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**

7. Submittal of this Notice of Adoption must include the signed ordinance(s), finding(s), exhibit(s) and any other supplementary information (see ORS 197.615 ).
8. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) of adoption (see ORS 197.830 to 197.845 ).
9. In addition to sending the Form 2 - Notice of Adoption to DLCD, please notify persons who participated in the local hearing and requested notice of the final decision at the same time the adoption packet is mailed to DLCD (see ORS 197.615 ).
10. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518.

Mayor  
Honorable Lori DeRemer



City Manager  
Jason Tuck

DATE: April 8, 2011


File No. ANN-01-11/LDC-01-11/CPA-01-11

**NOTICE OF EXPEDITED DECISION**

This is official notice of action taken by the Happy Valley City Council pursuant to Metro Code 3.09.045 with regard to an application for annexation to the City of Happy Valley. The subject properties are described as Clackamas County Assessor Map Numbers 12E25A00700, 12E25A00800, 22E12BB05400, 22E12BB05500, 22E12BB05700, 22E12BB05800, 22E12BB05900, 22E12BB06000, 22E12BB06500, 23E06B 00490, 23E06B01100.

The City Council formally approved the subject application/petition based upon findings included within the Staff Report dated April 5, 2011, and deliberations of the City Council.

Per Metro Code 3.09.045 decisions made pursuant to an expedited process are not subject to appeal by a necessary party pursuant to Section 3.09.070.

  
Justin Popilek, Associate Planner

cc: Petitioner  
Necessary Parties  
File

16000 SE Misty Drive  
Happy Valley, Oregon 97086  
Telephone: (503) 783-3800 Fax: (503) 658-5174  
Website: [www.ci.happy-valley.or.us](http://www.ci.happy-valley.or.us)



**ORDINANCE NO. 413**  
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, AMENDING OFFICIAL  
MAP EXHIBIT 11 OF THE CITY OF HAPPY VALLEY LAND DEVELOPMENT  
ORDINANCE NO. 97, AND DECLARING AN EMERGENCY.

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-01-11/LDC-01-11/CPA-01-11); and

WHEREAS, the proposed annexation territory consists of 11 tax lots totaling 3.76 acres of land adjacent to existing city boundaries; and

WHEREAS, the specific tax lots to be annexed include:

12E25A00700, 12E25A00800, 22E12BB05400, 22E12BB05500, 22E12BB05700,  
22E12BB05800, 22E12BB05900, 22E12BB06000, 22E12BB06500, 23E06B 00490,  
23E06B01100; 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 16.67.070 of the Happy Valley Municipal Code, the tax lots proposed for annexation will be re-designated and re-zoned from existing Clackamas County zones to the applicable city zoning designations per the City's Development Code; and

WHEREAS, the City Council considered the proposed annexation at its regularly scheduled City Council meeting on April 5, 2011; and

WHEREAS, the City 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 property described as Clackamas County Map Numbers 22E06B00490 is included within this annexation file to correct an administrative error associated with Ordinance Number 301.

WHEREAS, the City Council deems it in the public's interest to declare an emergency so that this ordinance takes effect as specified below, prior to the expiration of the 30-day period specified in the City Charter, because several of the subject properties are vacant lots that the property owner will be submitting building permits to the City for single-family home construction, subsequent to the processing of this annexation.

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 A, and depicted in Exhibit B is annexed to Happy Valley effective April 5, 2011.

Section 2. The City of Happy Valley declares through the legislative process that the following city comprehensive plan designations and zoning districts shall apply to the tax lots proposed for annexation, as pursuant to Section 16.67.070 of the Happy Valley Municipal Code:

12E25A00700 - Low Density Residential (R-10)  
12E25A00800 - Low Density Residential (R-10)  
22E12BB05400 - Low Density Residential (R-8.5)  
22E12BB05500 - Low Density Residential (R-8.5)  
22E12BB05700 - Low Density Residential (R-8.5)  
22E12BB05800 - Low Density Residential (R-8.5)  
22E12BB05900 - Low Density Residential (R-8.5)  
22E12BB06000 - Low Density Residential (R-8.5)  
22E12BB06500 - Low Density Residential (R-8.5)  
23E06B01100 - Institutional Public Use (IPU)

Section 3. The City Council adopts the subject annexation application (ANN-01-11/LDC-01-11/CPA-01-11) and the associated Staff Report to the City Council dated April 5, 2011.

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 5, 2011.

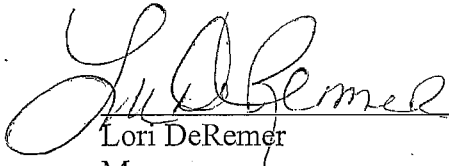
Section 5. As a condition for the annexation of each property in the territory described in Exhibit A and depicted in Exhibit B, the property owners, on behalf of themselves, their heirs, successors and assigns, waive their right(s) of remonstrance against the creation of any Local Improvement District created consistent with ORS Chapter 223 and/or Happy Valley Municipal Code Chapter 3.12 for a period of 10 years from the effective date of the annexation.

Section 6. The City Recorder is directed to:

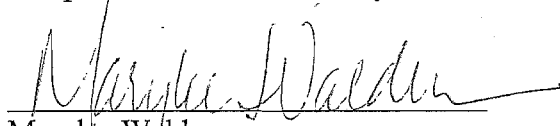
1. File a copy of this ordinance and the statements of consent to annexation consistent with ORS 222.180 with the Secretary of State and Department of Revenue;
2. Mail a copy of this ordinance to Metro including the required fee consistent with Metro Code Chapter 3.09.030(e); and
3. Mail a copy of this ordinance to Clackamas County and any other necessary parties consistent with Metro Code Chapter 3.09.030(e).

Section 7. An emergency is declared to exist and as provided by Section 17 of the Happy Valley City Charter this ordinance takes effect on April 5, 2011.

COUNCIL APPROVAL AND UNANIMOUS ADOPTION AT ONE MEETING: [April 5, 2011]

  
Lori DeRemer  
Mayor

Adoption and date attested by:

  
Marylee Walden  
City Recorder

City of Happy Valley, City Council

**AGENDA STATEMENT**

Meeting Date April 5, 2011

Agenda Item No. \_\_\_\_\_  
(# To be assigned by Exec. Asst.)

**Item Title**

Annexation File: ANN-01-11/LDC-01-11/CPA-01-11

**Prepared by**

Justin Popilek

**Department**

Community Development

**Explanation**

File Number ANN-01-11/LDC-01-11/CPA-01-11 proposes to annex and apply city zoning to 11 tax lots, totaling approximately 3.76 acres in size.

**Special Issues**

Six of the subject properties are recently platted vacant lots that are now owned by a home builder who has petitioned to annex for the purpose of processing their building permits through the City's Building Department.

**Financial Impact**

Increased tax revenue for each annexed property versus future services to each property

**Recommendation**

Staff recommends approval of ANN-01-11/LDC-01-11/CPA-01-11.

**Planning Commission Recommendation**

N/A

**Attachments**

1. Staff Report (ANN-01-11/LDC-01-11/CPA-01-11)
2. Ordinance #413

AGENDA STATEMENT MUST BE LIMITED TO ONE PAGE

Mayor  
Honorable Lori DeRemer



City Manager  
Jason A. Tuck

**CITY OF HAPPY VALLEY**  
**STAFF REPORT TO THE CITY COUNCIL**

**April 5, 2011**

ANNEXATION APPLICATION (File Number: ANN-01-11/LDC-01-11/CPA-01-11)

**I. GENERAL INFORMATION**

**PROPOSAL:**

The City seeks approval of the annexation of 11 properties, with a cumulative area of approximately 3.76 acres, and the legislative rezoning of the subject properties to Happy Valley zoning designations, as set forth in Section 16.67.070 of the City's Land Development Code (LDC). The subject properties currently have residential Clackamas County zoning designations. This proposal will rezone the subject properties from their existing zoning designations to equivalent Happy Valley zoning designations.

**APPLICANT:**

City of Happy Valley  
16000 SE Misty Drive  
Happy Valley, OR 97086

**PROPERTY OWNER:**

See Attached List – Exhibit B

**EXHIBITS:**

Exhibit A- Legal Description  
Exhibit B- Annexation Area Map/Property Owner List  
Exhibit C- Annexation Application/Petition

16000 SE Misty Drive  
Happy Valley, Oregon 97086  
Telephone: (503) 783-3800 Fax: (503) 658-5174  
Website: [www.ci.happy-valley.or.us](http://www.ci.happy-valley.or.us)

**APPLICABLE CRITERIA:**

Applicable sections of the City of Happy Valley Municipal Code; Title 16 (Land Development Code), including Section 16.67.070 (Annexations); applicable sections of the City of Happy Valley Comprehensive Plan; Metro Code 3.09.045; and, ORS 222.111 and 222.125.

**BACKGROUND:**

The City of Happy Valley makes available petitions for annexation to area property owners and received signed petitions requesting annexation from the owners of the subject properties.

**GENERAL DISCUSSION:**

The proposed annexation was initiated by petitions signed by the owners of 100 percent of the property owners that represent 100 percent of the assessed value, and that represent at least 50 percent of the electors within the area being annexed. The petition meets the requirements of Metro Ordinance Number 98-791, Chapter 3.09.045, and ORS 222.125.

The properties to be annexed are in various locations, adjacent to the existing city limits, as noted on Exhibit "B". The legal descriptions for the areas proposed for annexation are attached as Exhibit "A" and the annexation application data forms for the areas to be annexed are attached as Exhibit "C".

The proposed annexation incorporates 11 properties consisting of 3.76 acres adjacent to the existing city limits of the City of Happy Valley. The desire of the property owners to obtain city services and land use regulations for the subject properties have prompted the proposed annexation request.

This staff report outlines the subject properties as to their specific configuration, existing land use, population, assessed value and other criteria for approval of boundary changes. See attached Exhibit "A".

The proposed annexation boundaries have been drawn up to include only the properties represented by the property owner or his representative who signed the annexation petitions.

This proposed annexation complies with the present agreements the City has with various urban service providers. The subject properties are currently within Clackamas County Service District #1 (CCSD #1), which provides sanitary sewer and stormwater services to the City and other urbanized areas of Clackamas County. Subsequent to the approval of this application, the owners of the subject properties will be required to annex into Clackamas County Service District #5 (CCSD #5) for street lighting and the North Clackamas Parks and Recreation District (NCPRD). The subject properties will need to be removed from the Clackamas County Enhanced Law Enforcement District.

CCSD #1 will be the provider of sanitary and stormwater services. Six of the 11 properties proposed for annexation are recently platted lots, created as part of "Waterford Park", and have all Level 1 services available, including sanitary and stormwater services. Four of the 11 properties proposed for annexation are not in CCSD #1 and will be required to annex to the District at the time connections to services become available. One of the 11 subject properties has the potential to develop and is adjacent to all Level 1 services. Prior to the development of this property, CCSD #1 will evaluate how to best provide sanitary and stormwater services.

The subject properties are directly adjacent to the city limits of the City of Happy Valley and are within the designated dual interest area of the City of Happy Valley and Clackamas County Urban Growth Management Agreement (UGMA). The properties associated with this annexation are consistent with the provisions of the UGMA. Both the planning and public facilities provisions are contained within the City of Happy Valley/Clackamas County UGMA. The properties being considered for annexation are not subject to any additional agreements between the City and other agencies that would affect planning or urban services to the subject properties.

Happy Valley Comprehensive Plan Policies 4 through 7 address urbanization of lands from rural to urban uses. The annexation area satisfies the applicable provisions of these policies by providing land for urban development that can be, or currently is, adequately served with Level 1 services and facilities.

The Metro Regional Framework Plan contains standards and criteria guiding the management and expansion of the Urban Growth Boundary (UGB), but most are not directly applicable to this annexation application. The Framework Plan does address the issues of annexation of properties to cities as appropriate to ensure adequate government jurisdiction and public facilities review and approvals.

The Metro Urban Growth Management Functional Plan (UGMFP) contains population and household growth figures for each jurisdiction in the region, including the City of Happy Valley. These figures should be accommodated over the next 20 years. The approval of this annexation request will contribute land toward future urban-level uses at the densities specified in the functional plan.

Any future development within the subject properties proposed for annexation will comply with all the applicable regional, County and City plans.



## II. FINDINGS OF FACT

### *STATEWIDE PLANNING GOALS (DLCD)*

#### **“Goal 1: Citizen Involvement (660-015-0000(1))**

*Goal 1 specifies that each city adopt a program for citizen involvement that clearly defines the procedures by which the general public will be involved in the ongoing land-use planning process. This program shall provide for continuity of citizen participation and of information that enables citizens to identify and comprehend the issues.*

#### **Response:**

The City of Happy Valley provided notice to all interested parties, necessary parties, and land owners within 300 feet. The notice stated that the process would be expedited. This criterion has been satisfied.

#### **Goal2: Land Use Planning 660-015-0000(2))**

*Goal 2 specifies the need to establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

#### **Response:**

The City’s LDC establishes provisions for the expedited annexation process and county to city zoning conversion. This staff report and findings demonstrate compliance with applicable policies and regulations of all local, regional, and state regulations. This criterion has been satisfied.

#### **Goal 10: Housing (660-015-0000(10))**

*Goal 10 specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing. It requires each city to inventory its buildable lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.*

#### **Response:**

The subject properties are located within an area that has already been comprehensively planned for by either Clackamas County or the City of Happy Valley. The proposed annexation would provide additional lots for residential construction within the City that is adjacent to areas that have already been established as residential uses and public parks. The annexation is compliant with the City’s Comprehensive Plan goals and policies pertaining to Goal 10 and the UGMFP (see Compliance with Regional Goals) and therefore, this criterion has been satisfied.

**Goal 11: Public Facilities and Services ((660-015-0000(11))**

*Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that the public services should be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs.*

**Response:**

Metro Code (3.09.045.d) requires that boundary change proposals meet minimum criteria that include addressing the capacity for urban services. Boundary changes must be consistent with ORS 195.065 and regional and statewide land use goals, including Goal 11.

Some of the subject properties are currently within CCSD #1, which provides sanitary sewer and stormwater services to the City and other urbanized areas of Clackamas County. Six of the 11 properties proposed for annexation are recently platted lots, created as part of "Waterford Park", and have all Level 1 services available, including sanitary and stormwater services. Four of the 11 properties proposed for annexation are not in CCSD #1 and will be required to annex to the District at the time connections to services become available. One of the 11 subject properties has the potential to develop and is adjacent to all Level 1 services. Prior to the development of this property, WES will evaluate how to best provide sanitary and stormwater services to these undeveloped properties.

Sunrise Water Authority (SWA) provides water to the City of Happy Valley. The properties proposed for annexation are currently, and will continue to be, within the service area of SWA. The future water supply needs of the subject properties will be evaluated and planned for by SWA.

This annexation proposal is consistent with Goal 11. Public services to the annexation areas have already been planned for and anticipated to occur because it is within the existing UGB. Extension of the public services that are not currently available to the subject properties will occur with future development. This criterion has been satisfied.

**Goal 12: Transportation ((660-015-0000(12))**

*Goal 12 calls for the provision of "a safe, convenient and economic transportation system." It asks for communities to address the needs of the "transportation disadvantaged.*

**Response:**

The Happy Valley Transportation System Plan (TSP) has been updated to include the area proposed for annexation. The TSP was adopted in December 1998; and amended in 2001, 2006, 2009, and 2010. The TSP includes an inventory of the existing transportation system, addresses current problem areas, and evaluates future needs for both motorized and non-motorized transportation options. The TSP is consistent with the Transportation Planning Rule (TPR), the Metro Regional Transportation Plan (RTP), the Clackamas County Comprehensive Plan and Pedestrian and Bicycle Master Plan, and the Oregon Department of Transportation Oregon Transportation Plan (OTP). This criterion has been satisfied.

**Goal 14: Urbanization ((660-015-0000(14))**

***Goal 14 requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an “urban growth boundary” (UGB) to “identify and separate urbanizable land from rural land.” It specifies seven factors that must be considered in drawing up a UGB. It also lists four criteria to be applied when undeveloped land within a UGB is to be converted to urban uses.”***

**Response:**

The Happy Valley Comprehensive Plan (1984) and East Happy Valley Comprehensive Plan Update (2009) established a UGB based on the seven criteria outlined in Goal 14. UGB expansions are also regulated regionally through the Metro Regional Framework Plan and UGMFP. The Regional Framework Plan stipulates that cities plan for growth and utilize available land in a manner that is consistent with the regional goals contained in the plan. The City has identified an expansion area from the current city limits. The subject properties proposed for annexation are within this identified area. Through the legislative process, the City is proposing to apply city zoning designations that are the equivalent of the existing Clackamas County zoning designations, to be consistent with the existing Clackamas County Comprehensive Plan. The Clackamas County Comprehensive Plan was established in compliance with Goal 14, therefore, this criterion has been satisfied.

***Oregon Revised Statues (ORS)***

***“ORS 222.111 – [...] (2) A proposal for annexation of territory to a city may be initiated by the legislative body of the city, on its own motion, or by a petition to the legislative body of the city by owners of real property in the territory to be annexed.***

**Response:**

This annexation was the result of petitions filed by the property owners or their representatives who own properties that are contiguous to the city limits of Happy Valley. The criterion has been satisfied.

***ORS 222.125 - Annexation by consent of all owners of land and majority of electors; proclamation of annexation. The legislative body of a city need not call or hold an election in the city or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.***

**Response:**

The application was initiated by petitions from owners of 100 percent of the land in the territory to be annexed and 50 percent of the electors in the territory to be annexed. The criterion has been satisfied.

***REGIONAL LAND USE REQUIREMENT***

***“Metro Code 3.09.045 – Expedited Decisions***

***(a) The governing body of a city or Metro may use the process set forth in this section for minor boundary changes for which the petition is accompanied by the written consents of one hundred percent of property owners and at least fifty percent of the electors, if any, within the affected territory. No public hearing is required.***

**Response:**

The City of Happy Valley established an expedited decision process through the adoption of Resolution Number 05-13. The City has received written consent in the form of petitions from 100 percent of the property owners and 50 percent the electors within the affected territory. The criterion has been satisfied.

***(b) The expedited process must provide for a minimum of 20 days' notice prior to the date set for decision to all necessary parties and other persons entitled to notice by the laws of the city or Metro. The notice shall state that the petition is subject to the expedited process unless a necessary party gives written notice of its objection to the boundary change.***

**Response:**

The City of Happy Valley provided notice to all interested parties necessary parties, and land owners within 300 feet of the subject properties. The notice stated that the process would be expedited. This criterion has been satisfied.

- (c) At least seven days prior to the date of decision the city or Metro shall make available to the public a report that includes the following information:*
- (1) The extent to which urban services are available to serve the affected territory, including any extra-territorial extensions of service;*
  - (2) Whether the proposed boundary change will result in the withdrawal of the affected territory from the legal boundary of any necessary party; and*
  - (3) The proposed effective date of the boundary change.*

**Response:**

A brief report, addressing the applicable criteria in Section 3.09.045 was available to the public on Tuesday, March 29, 2011, this criterion has been satisfied.

- (d) To approve a boundary change through an expedited process, the city shall:*
- (1) Find that the change is consistent with expressly applicable provisions in:*
    - (A) Any applicable urban service agreement adopted pursuant to ORS 195.065;*

**Response:**

The proposed annexation is consistent with ORS 195.065. As stated above, the subject properties would generally remain within service districts already serving the area. Six of the 11 properties proposed for annexation are recently platted lots, created as part of "Waterford Park", and have all Level 1 services available, including sanitary and stormwater services. Four of the 11 properties proposed for annexation are not in CCSD #1 and will be required to annex to the District at the time connections to services become available. One of the 11 subject properties has the potential to develop and is adjacent to all Level 1 services. Also, the subject properties will be required to annex into CCSD #5, which will provide street lighting at the time of development.

SWA provides water to the City of Happy Valley. The properties proposed for annexation are currently, and will continue to be, within the service area of SWA. The future water supply needs of the subject properties will be evaluated and planned for by SWA. This criterion has been satisfied.

- (B) Any applicable annexation plan adopted pursuant to ORS 195.205;*

**Response:**

The proposed annexation is consistent with the City's annexation plan. This criterion has been satisfied.

- (C) Any applicable cooperative planning agreement adopted pursuant to ORS 195.020(2) between the affected entity and a necessary party;*

**Response:**

The proposed annexation is not in violation of any cooperative planning agreements the City has with other entities. The City of Happy Valley has planning jurisdiction for land use and transportation actions within city limits. The proposed annexation is compliant with the Happy Valley Comprehensive Plan and LDC. The criterion has been satisfied.

*(D) Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services; and*

**Response:**

The proposed annexation would not interfere with the provision, quality, or quantity of public facilities and services. The subject properties are located in an area where most urban services have already been installed. The criterion has been satisfied.

*(E) Any applicable comprehensive plan; and*

The Happy Valley Comprehensive Plan and LDC do not contain applicable standards or criteria for boundary changes. However, the proposed annexation does meet applicable Metro and statewide planning requirements as addressed in this report. The criterion has been satisfied.

*(2) Consider whether the boundary change would:*

- (A) Promote the timely, orderly and economic provision of public facilities and services;*
- (B) Affect the quality and quantity of urban services; and*
- (C) Eliminate or avoid unnecessary duplication of facilities or services.*

**Response:**

The proposed annexation would not interfere with the provision, quality, or quantity of public facilities and services. The subject properties are located in an area where most urban services have already been installed. The criterion has been satisfied.

*(e) A city may not annex territory that lies outside the UGB, except it may annex a lot or parcel that lies partially within and outside the UGB. Neither a city nor a district may extend water or sewer services from inside a UGB to territory that lies outside the UGB.”*

**Response:**

The subject properties having petitioned for annexation are within the existing Metro UGB. The criterion has been satisfied.

***CITY OF HAPPY VALLEY COMPREHENSIVE PLAN***

***Comprehensive Plan Policies***

***“Policy 4: To insure orderly development in the City of Happy Valley through formulation of growth management policies and guidelines which will determine that development can occur only when adequate levels of services and facilities are or will be available.***

**Response:**

The subject properties are located where most urban services are currently available. Five of the subject properties do not have all Level 1 services available, urban services will be required to be in place if any development activity is to occur on these properties. This criterion has been satisfied.

***Policy 5: To encourage controlled development while maintaining and enhancing the physical resources which make Happy Valley a desirable place to live.***

**Response:**

The subject properties are located within an area that has been comprehensively planned for by Clackamas County. This plan was created with preservation and enhancement of physical resources as a goal. This criterion has been satisfied.

***Policy 6: To assure that the development of properties is commensurate with the character and physical limitations of the land in the Happy Valley area as determined by the available base information and the Composite Development Suitability analysis.***

**Response:**

Compliance with this policy will be evaluated when/if individual proposals for development/construction are submitted to the City on any of the subject properties. This criterion has been satisfied.

***Policy 7: To coordinate with the Metropolitan Service District (Metro) on any proposed changes or adjustments of the Urban Growth Boundary in the immediate vicinity of the City.”***

**Response:**

There are no proposed changes or adjustments to the UGB associated with this annexation application. This criterion is not applicable.



**CITY OF HAPPY VALLEY MUNICIPAL CODE**

**Happy Valley Land Development Code**

***“16.67 Comprehensive Plan Map, Specific Area Plans, Land Use District Map and Text Amendments***

***[...]***

***16.67.070 Annexations.***

***A. Except as provided in subsection B of this section, when a property or area is annexed to the City from unincorporated Clackamas County with an accompanying Clackamas County Comprehensive Plan designation and zone, the action by the City Council to annex the property or area shall include an ordinance to amend the City’s Comprehensive Plan map/zoning map to reflect the conversion from the County designation/zone to a corresponding City designation/zone, as shown in Table 16.67.070-1 below.***

***{...}***

***B. When an unincorporated property within the East Happy Valley Comprehensive Plan area, Aldridge Road Comprehensive Plan area, or the Rock Creek Mixed Employment Comprehensive Plan area is annexed to the City, the property shall be rezoned to the applicable zoning designation in the Comprehensive Plan pursuant to the applicable requirements of the Land Development Code.***

***C. For any proposed annexation to the City, application shall be made directly to the City of Happy Valley on the appropriate forms and accompanied with the required fee. Upon receipt of a copy of the form, the City shall schedule a public hearing before the Planning Commission, which shall make a recommendation to the City Council. The City may utilize any lawful annexation process under state, regional or local law, including the expedited annexation process established in the Metro Code. An expedited annexation process shall be sent directly to the City Council for review. Expedited annexations shall be processed as an ordinance pursuant to the City of Happy Valley Charter.***

***D. For any proposed deannexation from the City, application shall be made directly to the City of Happy Valley on the appropriate forms and accompanied with the required fee. Upon receipt of a copy of the form the City shall schedule a public hearing before the Planning Commission, which shall make a recommendation to the City Council.”***

**Response:**

Pursuant to subsection “A” above, the properties associated with this annexation file will receive city zoning designations. As a result, if the proposed annexation is approved, an ordinance to amend the City’s Comprehensive Plan map/zoning map will be passed that reflects the zoning conversion of the subject properties from their Clackamas County zoning designations to Happy Valley zoning designations. These criteria have been satisfied.

**III. CONCLUSION:**

Staff has determined that the above findings demonstrate that the proposed annexation and zoning conversion of the subject properties satisfy the requirements of the City of Happy Valley Comprehensive Plan and LDC, Metro Code 3.09, Oregon Revised Statutes and Statewide Planning Goals. Staff, therefore, recommends the City Council approve application ANN-01-11/LDC-01-11/CPA-01-11.

ENGINEERING PLANNING  
FORESTRY

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Sherwood, Oregon 97140  
Phone: (503) 925-8799  
Fax: (503) 925-8969



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REDMOND, OREGON  
VANCOUVER, WASHINGTON  
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**EXHIBIT A**  
Legal Description  
Annexation Parcel

A tract of land located in the Northeast One-Quarter of Section 25, Township 1 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon and being more particularly described as follows:

Beginning at the North One-Quarter Corner of Section 25, thence along the north line of said Section, also being the centerline of SE Clatsop Street, South  $86^{\circ}31'06''$  East 978.26 feet to a point; thence South  $01^{\circ}35'40''$  West 262.52 feet to the southeast corner of Document Number 2010-43570 and the True Point of Beginning; thence along the east line of Deed Book 611 Page 180 and Document Number 69-10827 and the City of Happy Valley City Limits South  $01^{\circ}35'40''$  West 100.00 feet to a point; thence leaving the City of Happy Valley City Limits and along the south line of said Document Number 69-10827 North  $86^{\circ}31'06''$  West 140.02 feet to a point on the easterly line of SE 155<sup>th</sup> Avenue (the northerly east line of Parcel 1 of Partition Plat Number 2004-075); thence along said easterly lines of SE 155<sup>th</sup> Avenue and the City of Happy Valley City Limits North  $01^{\circ}35'40''$  East 100.00 feet to the northwest corner of said Deed Book 611 Page 180; thence along the north line of said Deed and the City of Happy Valley City Limits South  $86^{\circ}31'06''$  East 140.02 feet to the True Point of Beginning.

The above described tract of land contains 13,994 square feet, more or less. The Basis of Bearings is Partition Plat Number 2004-075, Clackamas County Surveyor's office.

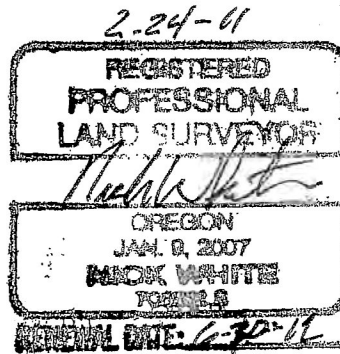
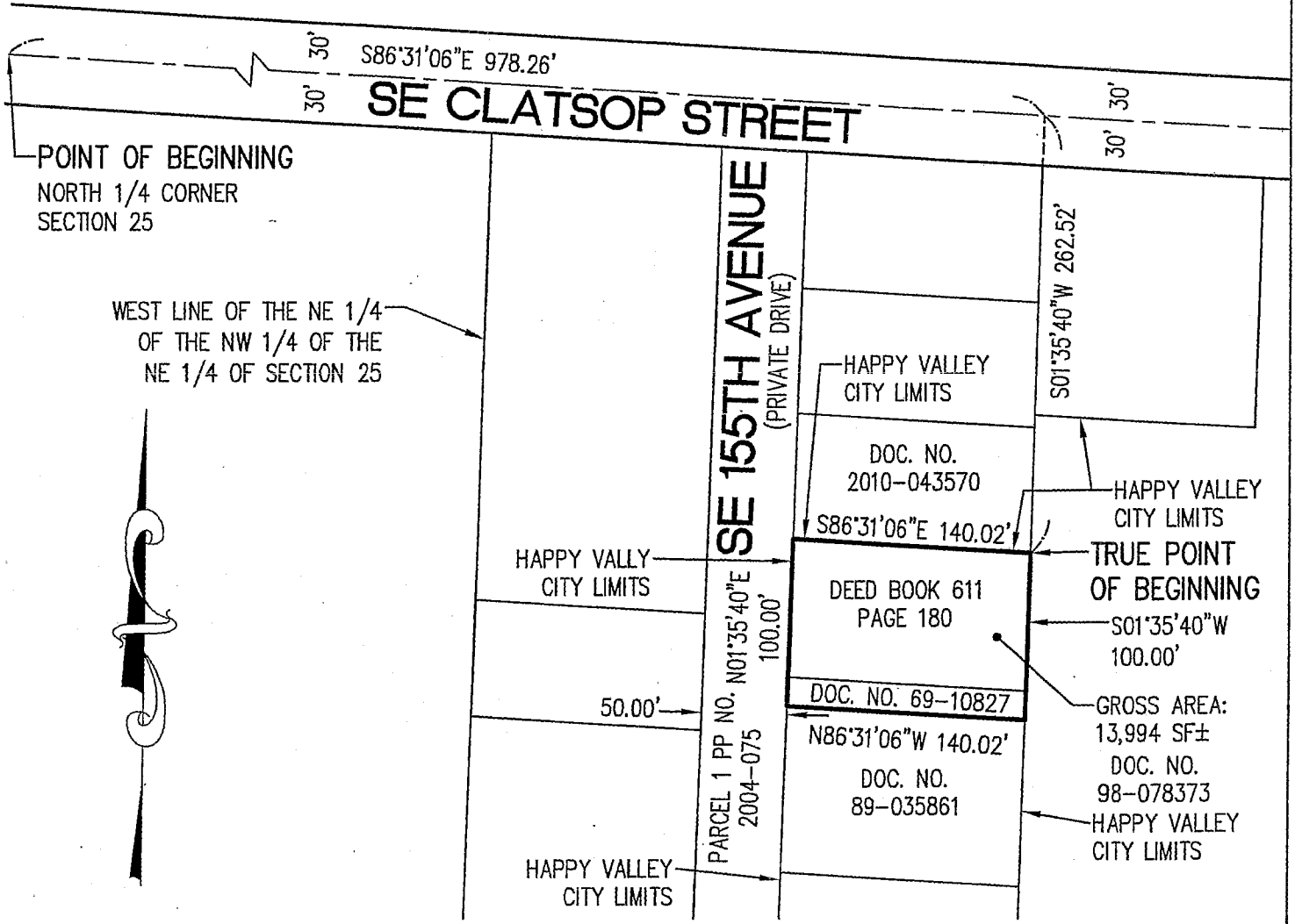


EXHIBIT # A

# EXHIBIT B

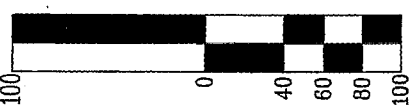
A TRACT OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 1 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON



WEST LINE OF THE NE 1/4 OF THE NW 1/4 OF THE NE 1/4 OF SECTION 25



SCALE 1" = 100 FEET



PREPARED FOR  
CITY OF HAPPY VALLEY  
16000 SE MISTY DRIVE  
HAPPY VALLEY, OR 97086

THE BASIS OF BEARINGS IS PER PARTITION PLAT 2004-075, CLACKAMAS COUNTY SURVEYOR'S OFFICE.

2-24-11

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON  
JANUARY 9, 2007  
NICK WHITE  
70652LS  
RENEWS: 6/30/12

JOB NAME: COHV ANNEX
JOB NUMBER: 2582
DRAWN BY: MSK
CHECKED BY: NSW
DWG NO.: 2582ANNEX

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## EXHIBIT A

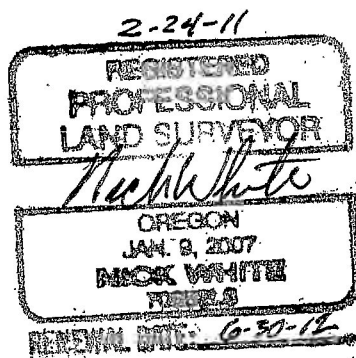
### Legal Description Annexation Parcel

Lots 1, 2, 4, 5, 6, and 11 of the Plat of "Waterford Park" Plat Number 4219, Parcel 1 of Partition Plat Number 2002-103 and a tract of land located in the Northwest One-Quarter of Section 12, Township 2 South, Range 2 East, and in the Northeast One-Quarter of Section 11, Township 2 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon and being more particularly described as follows:

Beginning at the northeast corner of Lot 1 of the Plat of "Waterford Park", thence along the east line of said Plat and the southerly extension thereof South  $00^{\circ}03'36''$  West 445.61 feet to the southerly right-of-way line of SE Wenzel Drive (variable width right-of-way); thence along said southerly right-of-way line North  $89^{\circ}58'07''$  West 285.34 feet to a point; thence along a curve to the left with a Radius of 150.00, Delta of  $40^{\circ}46'32''$ , Length of 106.75 feet, and a Chord of South  $69^{\circ}38'40''$  West 104.51 feet to a point; thence along a curve to the right with a Radius of 250.00 feet, Delta  $39^{\circ}52'25''$ , Length of 173.98 feet, and a Chord of South  $69^{\circ}11'36''$  West 170.49 feet to a point; thence South  $89^{\circ}07'49''$  West 60.82 feet to a point; thence along a curve to the left with a Radius of 14.50 feet, Delta of  $90^{\circ}04'28''$ , Length of 22.80 feet, and a Chord of South  $44^{\circ}05'35''$  West 20.52 feet to a point on the easterly right-of-way line of SE 142<sup>nd</sup> Avenue (35.00 feet from centerline); thence along said easterly right-of-way line South  $00^{\circ}56'39''$  East 138.79 feet to a point; thence South  $14^{\circ}23'21''$  West 192.78 feet to a point; thence North  $75^{\circ}36'39''$  West 5.00 feet to a point on said easterly right-of-way line (30.00 feet from centerline); thence continuing along said easterly right-of-way line South  $14^{\circ}23'21''$  West 14.99 feet to a point on the City of Happy Valley City Limits; thence along said City Limits South  $88^{\circ}53'34''$  West 62.26 feet to point on the westerly right-of-way line of SE 142<sup>nd</sup> Avenue (30.00 feet from centerline); thence leaving said City Limits and along said westerly right-of-way line North  $14^{\circ}23'21''$  East 215.66 feet to a point; thence North  $00^{\circ}56'39''$  West 194.64 feet to a point on the westerly extension of northerly right-of-way line of SE Wenzel Drive; thence along said westerly extension and said northerly right-way-way line North  $89^{\circ}07'49''$  East 140.40 feet to a point; thence along a curve to the left with a Radius of 200.00 feet, Delta of  $39^{\circ}51'56''$ , Length of 139.16 feet, and a Chord of North  $69^{\circ}11'51''$  East 136.37 feet to a point; thence along a curve to the right with a Radius of 200.00 feet, Delta of  $40^{\circ}44'37''$ , Length of 142.22 feet, and a Chord of North  $69^{\circ}38'11''$  East 139.24 feet to a point; thence South  $89^{\circ}59'30''$  East 239.48 feet to a point; thence along a curve to the left with a Radius of 14.00 feet, Delta of  $89^{\circ}56'54''$ , Length of 21.98 feet, and a Chord of North  $45^{\circ}02'03''$  East 19.79 feet to a point on the westerly right-of-way line of SE Crosswater Way (32.00 foot wide right-of-way); thence along said westerly right-of-way line North  $00^{\circ}03'36''$  East 52.41 feet to the southeast corner of Lot 11 of said Plat; thence along the south line of said Lot 11 North  $89^{\circ}59'35''$  West 110.00 feet to the southwest corner of said Lot 11; thence along the west line of said Lot 11 North  $00^{\circ}00'25''$  East 62.00 feet to the northwest corner of Said Lot 11; thence along the north line of said Lot 11 South  $89^{\circ}59'35''$  East 110.06 feet to a point on the westerly right-of-way line of SE Crosswater Way (32.00 foot wide right-of-way); thence along said westerly right-of-way line North  $00^{\circ}03'36''$  East 56.71 feet to a point; thence along a curve to the left with a Radius of 11.00 feet, Delta of  $28^{\circ}45'28''$ , Length of 5.52 feet, and a Chord of North  $14^{\circ}19'18''$  West 5.46 feet to the southeast corner of Parcel 1 of Partition Plat

Number 2002-103; thence along the south line of said Parcel 1 North 89°59'40" West 218.76 feet to the easterly northeast corner of Lot 6 of the Plat of "Waterford Park"; thence along the east line of said Lot 6 South 00°00'25" West 91.01 feet to the southeast corner of said Lot 6; thence along the south line of said Lot 6 North 89°55'10" West 77.83 feet to the southwest corner of said Lot 6; thence along the west line of said Lot 6 and the west line of Lots 5 and 4 of said Plat North 00°04'50" East 294.54 feet to the northwest corner of said Lot 4; thence along the north line of said Lot 4 North 89°44'46" East 83.77 feet to the northeast corner of said Lot 4; thence along the east line of said Lot 4 South 00°15'14" East 90.00 feet to the southwest corner of Lot 3 of said Plat; thence along the south line of said Lot 3 North 89°44'46" East 82.00 feet to the southwest corner of Lot 2 of said Plat; thence along the west line of said Lot 2 North 00°15'14" West 90.00 feet to the northwest corner of said Lot 2; thence along the north line of said Lot 2 and the north line of Lot 1 of said Plat North 89°44'46" East 163.99 feet to the Point of Beginning.

The above described tract of land contains 3.19 acres, more or less. The Basis of Bearings is per the Plat of "Waterford Park" Plat Number 4219, Clackamas County Survey Records.



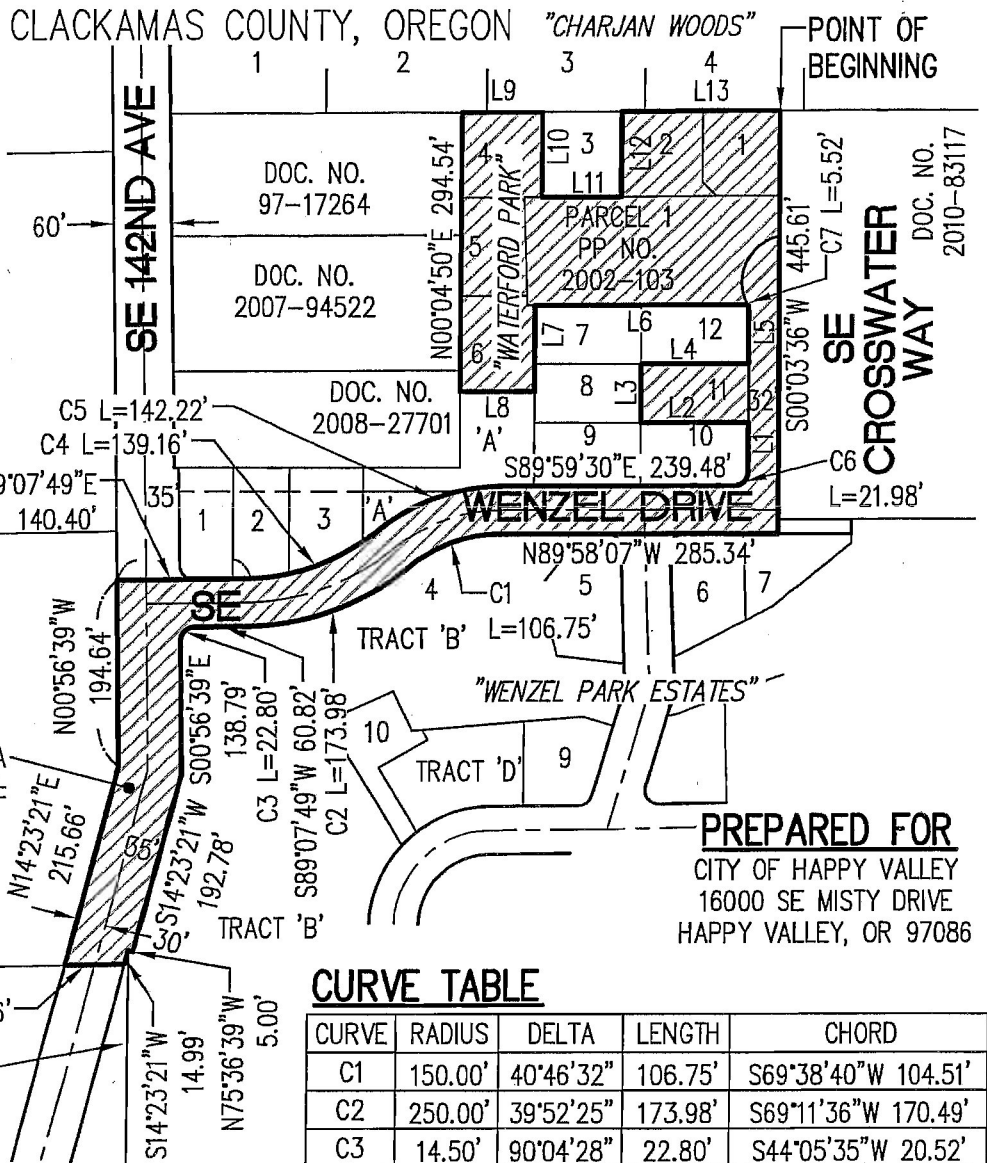
# EXHIBIT B

LOTS 1, 2, 4, 5, 6, AND 11 OF "WATERFORD PARK", PARCEL 1 OF PARTITION PLAT NO. 2002-103, AND A TRACT OF LAND LOCATED IN THE NW 1/4 OF SEC. 12, T2S, R2E, AND IN THE NE 1/4 OF SEC. 11, T2S, R2E, WILLAMETTE MERIDIAN,

## LINE TABLE

LINE	DIRECTION AND LENGTH
L1	N00°03'36"E 52.41'
L2	N89°59'35"W 110.00'
L3	N00°00'25"E 62.00'
L4	S89°59'35"E 110.06'
L5	N00°03'36"E 56.71'
L6	N89°59'40"W 218.76'
L7	S00°00'25"W 91.01'
L8	N89°55'10"W 77.83'
L9	N89°44'46"E 83.77'
L10	S00°15'14"E 90.00'
L11	N89°44'46"E 82.00'
L12	N00°15'14"W 90.00'
L13	N89°44'46"E 163.99'

SCALE 1" = 200 FEET



**PREPARED FOR**  
CITY OF HAPPY VALLEY  
16000 SE MISTY DRIVE  
HAPPY VALLEY, OR 97086

THE BASIS OF BEARINGS IS PER THE PLAT OF "WATERFORD PARK" PLAT NO. 4219, CLACKAMAS COUNTY SURVEYOR'S OFFICE.

2-24-11

## CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	150.00'	40°46'32"	106.75'	S69°38'40"W 104.51'
C2	250.00'	39°52'25"	173.98'	S69°11'36"W 170.49'
C3	14.50'	90°04'28"	22.80'	S44°05'35"W 20.52'
C4	200.00'	39°51'56"	139.16'	N69°11'51"E 136.37'
C5	200.00'	40°44'37"	142.22'	N69°38'11"E 139.24'
C6	14.00'	89°56'54"	21.98'	N45°02'03"E 19.79'
C7	11.00'	28°45'28"	5.52'	N14°19'18"W 5.46'

REGISTERED PROFESSIONAL LAND SURVEYOR

*Nick White*

OREGON  
JANUARY 9, 2007  
NICK WHITE  
70652LS

RENEWS: 6/30/12

JOB NAME: COHV ANNEX

JOB NUMBER: 2582

DRAWN BY: MSK

CHECKED BY: NSW

DWG NO.: 2582ANNEX

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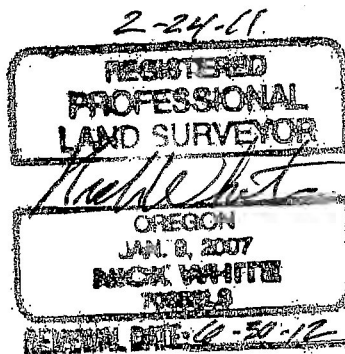
## EXHIBIT A

Legal Description  
Annexation Parcel

A tract of land located in the Northwest One-Quarter of Section 6, Township 2 South, Range 3 East, Willamette Meridian, Clackamas County, Oregon and being more particularly described as follows:

Beginning at the Northwest Corner of Section 6 thence South 00°00'00" East 931.37 feet to a point; thence North 90°00'00" East 919.34 feet to the northwest corner of Document Number 96-028388 and the True Point of Beginning; thence along the north line of said Document South 89°26'07" East 16.00 feet to the northeast corner of said Document; thence along the east line of said Document and the City of Happy Valley City Limits South 01°37'53" West 577.57 feet to a point on the northerly right-of-way line of SE Sunnyside Road (variable width); thence along said northerly right-of-way line North 88°51'48" West 16.00 feet to a point; thence along the west line of said Document and the City of Happy Valley City Limits North 01°37'53" East 577.41 feet to the True Point of Beginning.

The above described tract of land contains 9,237 square feet, more or less. The Basis of Bearings is Clackamas County Survey Number 2009-170.



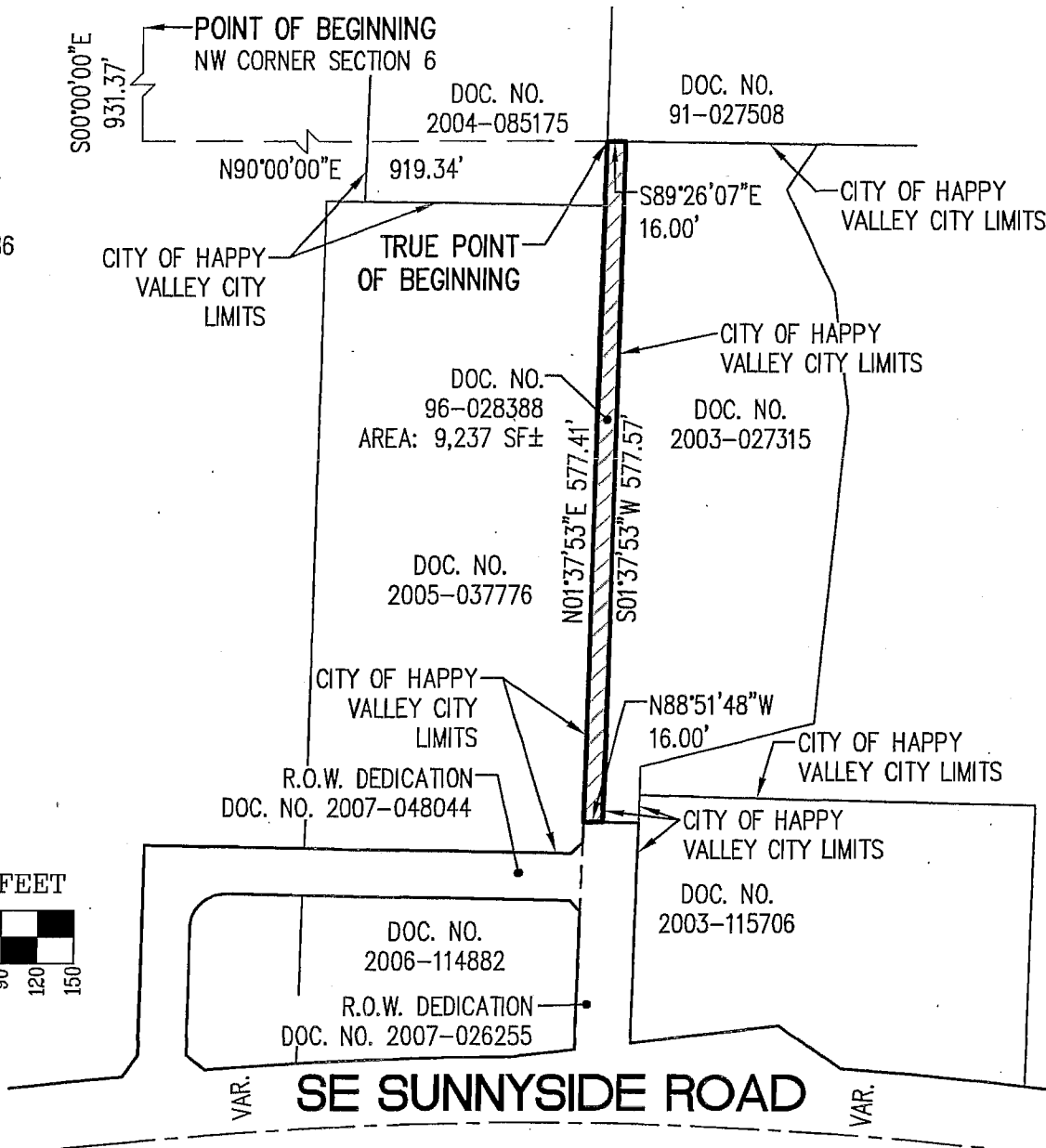
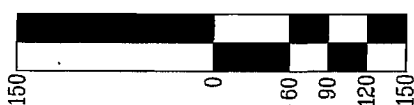
# EXHIBIT B

A TRACT OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 6,  
TOWNSHIP 2 SOUTH, RANGE 3 EAST, WILLAMETTE MERIDIAN,  
CLACKAMAS COUNTY, OREGON

PREPARED FOR  
CITY OF HAPPY VALLEY  
16000 SE MISTY DRIVE  
HAPPY VALLEY, OR 97086



SCALE 1" = 150 FEET



THE BASIS OF BEARINGS IS PER CLACKAMAS COUNTY SURVEY NUMBER 2009-170.

2-24-11

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON  
JANUARY 9, 2007  
NICK WHITE  
70652LS  
RENEWS: 6/30/12

JOB NAME: COHV ANNEX
JOB NUMBER: 2582
DRAWN BY: MSK
CHECKED BY: NSW
DWG NO.: 2582ANNEX

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ENGINEERING & FORESTRY

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FAX: (503) 925-8969

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LANDSCAPE ARCHITECTURE  
SURVEYING

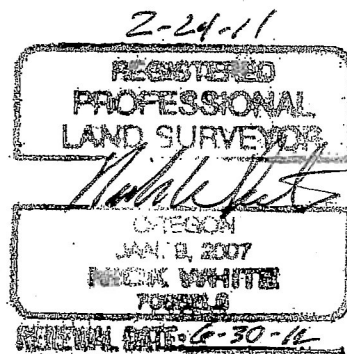
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**EXHIBIT A**  
Legal Description  
Annexation Parcel

Parcel 1 of Partition Plat Number 1996-62, located in the Northwest One-Quarter of Section 6, Township 2 South, Range 3 East, Willamette Meridian, Clackamas County, Oregon and being more particularly described as follows:

Beginning at the northwest corner of Parcel 1 of Partition Plat Number 1996-62, being on the southerly right-of-way line of SE Sunnyside Road (55.94 feet from centerline) and the southerly line of City of Happy Valley City Limits, thence along said southerly right-of-way line South 76°22'02" East 305.00 feet to the northeast corner of said Parcel; thence along the east line of said Parcel and the City of Happy Valley City Limits South 00°46'43" West 174.41 feet to the southeast corner of said Parcel; thence along the southerly line of said Parcel and the City of Happy Valley City Limits South 89°40'17" West 333.30 feet to the southwest corner of said Parcel 1; thence along the southerly westerly line of said Parcel 1 and the easterly line of City of Happy Valley City Limits North 03°57'25" East 161.67 feet to an angle point in said west line; thence continuing along said west line and said east line of City of Happy Valley City Limits North 17°55'02" East 91.34 feet to the Point of Beginning.

The above described tract of land contains 1.58 acres, more or less. The Basis of Bearings is Clackamas County Survey Number 2009-170.

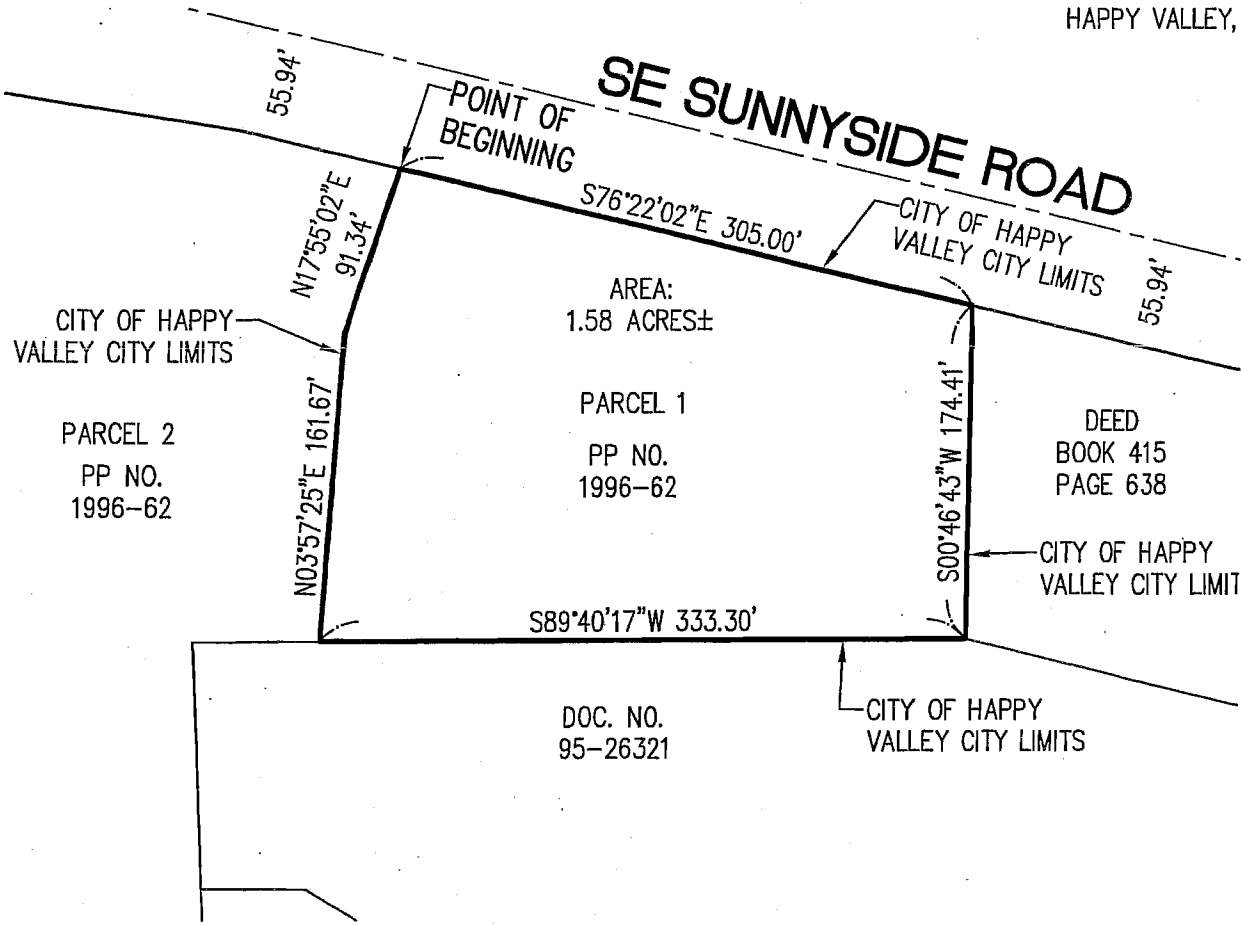


# EXHIBIT B

PARCEL 1 OF PP NO. 1996-62, LOCATED IN THE NORTHWEST 1/4 OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 3 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON

## PREPARED FOR

CITY OF HAPPY VALLEY  
16000 SE MISTY DRIVE  
HAPPY VALLEY, OR 97086



SCALE 1" = 100 FEET



THE BASIS OF BEARINGS IS PER CLACKAMAS COUNTY SURVEY NUMBER 2009-170.

2-24-11

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON  
JANUARY 9, 2007  
NICK WHITE  
70652LS

RENEWS: 6/30/12

JOB NAME: COHV ANNEX

JOB NUMBER: 2582

DRAWN BY: MSK

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DWG NO.: 2582ANNEX

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FORESTRY • SURVEYING

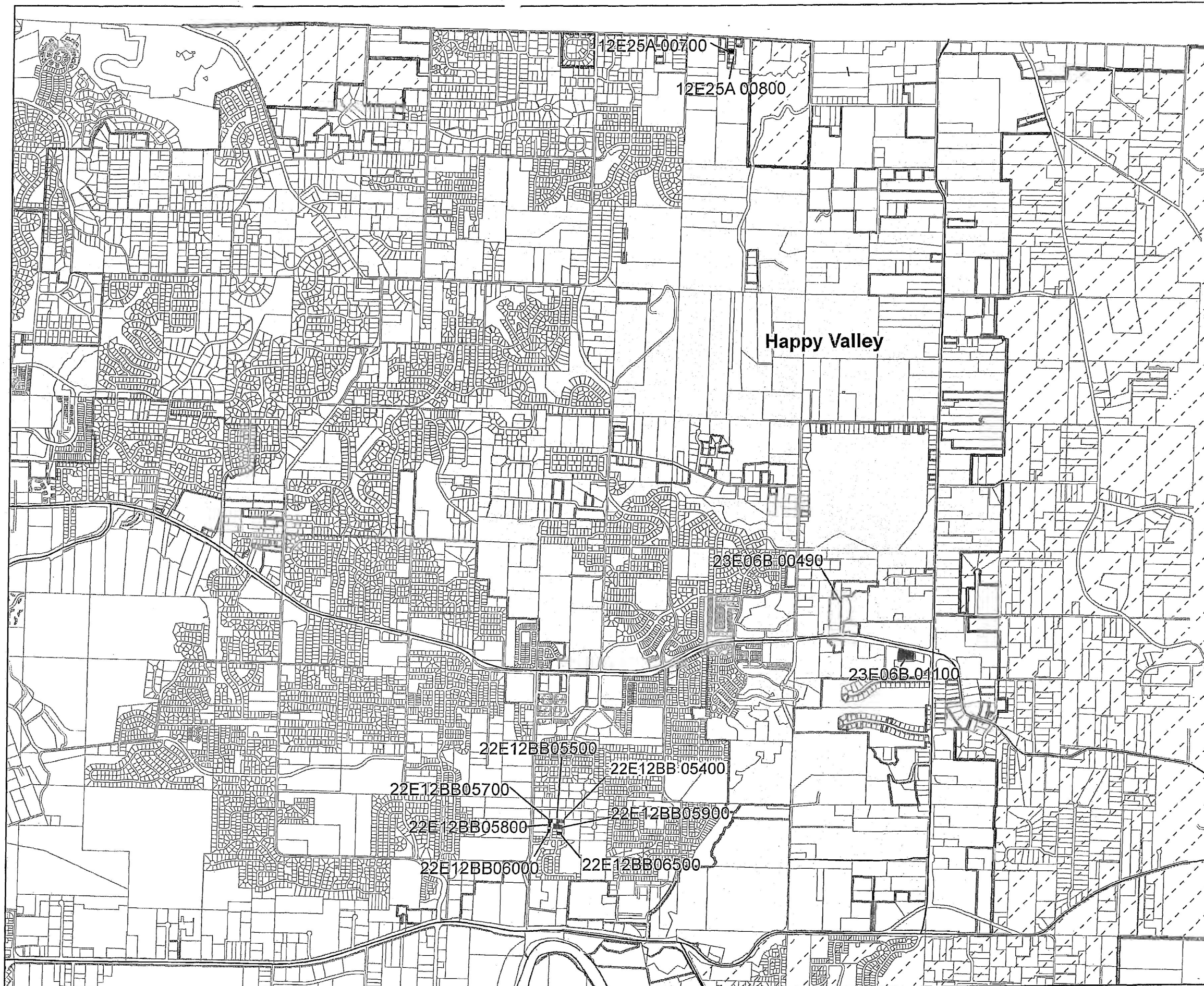




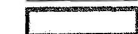

LICENSED IN OR & WA

13910 SW GALBREATH DRIVE, SUITE 100  
SHERWOOD, OR 97140  
PHONE: (503) 925-8799  
FAX: (503) 925-8969

OFFICES LOCATED IN REDMOND, OR & VANCOUVER, WA

# Proposed Annexation Properties



-  Unincorporated Clackamas County
-  Annexation Properties
-  Happy Valley City Boundary selection
-  Damascus



	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	<b>ANN-01-11</b>	<b>ANN-01-11</b>												
2	<b>PROPERTY OWNER</b>	<b>TAX MAP/LOT</b>	<b>EXHIBIT #</b>	<b>EHVCP</b>	<b>SITE ADDRESS</b>	<b>CITY</b>	<b>MAILING ADDR</b>	<b>STATE</b>	<b>ZIP</b>	<b>ZONING</b>	<b>ACRES</b>	<b>ASSESED VALUE</b>	<b># DU</b>	<b># PEOPLE</b>
3														
4	Michael Lesh	23E06B 00490			16415 SE Sunnyside Rd	Clackamas		OR	97015	RRFF5	0.22	8,659.00		0
5														
6	Hobart C & Meiriella M Manns	12E25A00700			8646 SE 155th Avenue	Clackamas		OR	97015	FF10	0.26	113,321.00		
7		12E25A00800			No Situs	Clackamas		OR	97015	FF10	0.06	1,547.00		
8														
9	Curt Gibson	22E12BB05400			14687 SE Crosswater Way	Clackamas		OR	97015	R8.5	0.17	81,271.00		
10		22E12BB05500			14675 SE Crosswater Way	Clackamas		OR	97015	R8.5	0.17	211,855.00		
11		22E12BB05700			14689 SE Island Woods Ct	Clackamas		OR	97015	R8.5	0.17	237,028.00		
12		22E12BB05800			14705 SE Island Woods Ct	Clackamas		OR	97015	R8.5	0.16	230,186.00		
13		22E12BB05900			14780 SE 142nd Ave	Clackamas		OR	97015	R8.5	0.63	304,740.00		
14		22E12BB06000			14757 SE Island Woods Ct	Clackamas		OR	97015	R8.5	0.18	207,838.00		
15		22E12BB06500			14769 SE Crosswater Way	Clackamas		OR	97015	R8.5	0.16	199,964.00		
16														
17	Sunnyside Rd Kingdom Hall Jehovah Witness	23E06B01100			17100 SE Sunnyside Rd	Boring		OR	97009	RRFF-5	1.58	565,529.00		
18														
19														
20														
21														
22														
23														
24														
25											3.76	2,161,938.00	3	0



PETITION TO ANNEX  
CITY OF HAPPY VALLEY

Add to  
next annexation

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: 97015

16415 SE. SUNNYSIDE CLACKAMAS, OREGON

Street Address of Property (if address has been assigned)

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

Tax Map and Tax Lot Number

MAP 23E06B Lots 00490, 00490, 00601

Signature(s) of Legal Owner(s) and/or Registered Voter(s)

Michael A. Lesh      IL      IL      12-17-2003

Signature      Owner Initial      Voter Initial      Date

Signature      Owner Initial      Voter Initial      Date

Other Authorized Signature      Owner Initial      Voter Initial      Date

16415 SE. Sunnyside      658-2496

Street Address      Home Phone      Work Phone

Clackamas, Oregon

Mailing Address

Clackamas, Oregon 97015

City      State      Zip

A legal description of the property must be submitted with this petition.

Michael Lesh  
23E06B 00490





**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:

8646 SE 155th Avenue  
 Street Address of Property (if address has been assigned)  
 Legal Description (Subdivision Name, Lot number(s))  
 12E25A00700 & 600  
 Tax Map and Tax Lot Number

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

<u>Robert M. Marcus</u>	<u>RM</u>	<u>RM</u>	<u>Aug 17 2010</u>
Signature	Owner Initial	Voter Initial	Date
<u>Michelle M. Marcus</u>	<u>MM</u>	<u>MM</u>	<u>Aug 17, 2010</u>
Signature	Owner Initial	Voter Initial	Date

Other Authorized Signature \_\_\_\_\_ Owner Initial \_\_\_\_\_ Voter Initial \_\_\_\_\_ Date \_\_\_\_\_

8646 SE 155 \_\_\_\_\_  
 Street Address Home Phone Work Phone

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>Robert M. Marcus</u>	_____
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: \_\_\_\_\_  
 Types of housing units: \_\_\_\_\_ Single family \_\_\_\_\_ Multi-family \_\_\_\_\_ Mobile home or trailer  
 Number of people occupying these units: \_\_\_\_\_



**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

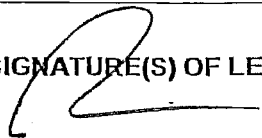
I (we), the undersigned owner(s) of the property described below and/or elector(s) residing at the location below described, hereby petition and give consent to, annexation of said property to the City of Happy Valley.

The consent for annexation is for the following described property:

141087 SE Crosswater Way  
 Street Address of Property (if address has been assigned)

Waterford Park Lot #1  
 Legal Description (Subdivision Name, Lot number(s))

Lot #1 Tax lot 5400 22E12BB05400  
 Tax Map and Tax Lot Number

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

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

Indefinitely, or until \_\_\_\_\_

1-7-10  
 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: \_\_\_\_\_

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

Number of people occupying these units: \_\_\_\_\_



**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:

141675 SE Crosswater Way  
 Street Address of Property (if address has been assigned)

Walden Park lot 7  
 Legal Description (Subdivision Name, Lot number(s))

lot #2 Tax lot # 5500 22E12BB05500  
 Tax Map and Tax Lot Number

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

Signature	Owner Initial	Voter Initial	Date
Signature	Owner Initial	Voter Initial	Date
Other Authorized Signature	Owner Initial	Voter Initial	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 222.173, and further agree that this contract shall be effective

Indefinitely, or until \_\_\_\_\_

 1-7-10  
 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: \_\_\_\_\_  
 Types of housing units: \_\_\_\_\_ Single family \_\_\_\_\_ Multi-family \_\_\_\_\_ Mobile home or trailer  
 Number of people occupying these units: \_\_\_\_\_



**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:

14689 SE Island Woods Ct.  
 Street Address of Property (if address has been assigned)

Waterford Park lot #4  
 Legal Description (Subdivision Name, Lot number(s))

Lot 4 Tax lot 5700 22E12BB05700  
 Tax Map and Tax Lot Number

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

Signature	Owner Initial	Voter Initial	Date
Signature	Owner Initial	Voter Initial	Date
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

Indefinitely, or until \_\_\_\_\_

1-7-10  
 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: \_\_\_\_\_

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

Number of people occupying these units: \_\_\_\_\_



**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:

14705 SE Island Woods Ct  
 Street Address of Property (if address has been assigned)

Waterford Park Lot #5  
 Legal Description (Subdivision Name, Lot number(s))

Lot 5 Tax lot 5800 22E12BB05800  
 Tax Map and Tax Lot Number

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

_____ Signature	_____ Owner Initial	_____ Voter Initial	_____ Date
_____ Signature	_____ Owner Initial	_____ Voter Initial	_____ Date
_____ Other Authorized Signature	_____ Owner Initial	_____ Voter Initial	_____ 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 222.173, and further agree that this contract shall be effective

Indefinitely, or until \_\_\_\_\_

1-7-10  
 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: \_\_\_\_\_

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

Number of people occupying these units: \_\_\_\_\_



**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:

14780 SE 142ND AVE.  
 Street Address of Property (if address has been assigned)  
T2S R2E, SEC 12, TL 5900  
 Legal Description (Subdivision Name, Lot number(s))  
PARCEL 1 OF THE WATERFORD PARK SUBDIVISION  
22E12B05900  
 Tax Map and Tax Lot Number

Cole & Cheryl Graves  
 SIGNATURE(S) OF LEGAL OWNER(S) AND/OR REGISTERED VOTER(S)

Signature	Owner Initial	Voter Initial	Date
Signature	Owner Initial	Voter Initial	Date
Other Authorized Signature	Owner Initial	Voter Initial	Date

12042 SE SUNNYSIDE RD # 475  
 Street Address Home Phone Work Phone

Mailing Address  
HAPPY VALLEY, OR 97015  
 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 12-10-10  
 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: 1  
 Types of housing units: 1 Single family \_\_\_ Multi-family \_\_\_ Mobile home or trailer  
 Number of people occupying these units: 0



**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

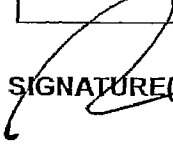
I (we), the undersigned owner(s) of the property described below and/or elector(s) residing at the location below described, hereby petition and give consent to, annexation of said property to the City of Happy Valley.

The consent for annexation is for the following described property:

14757 SE Island Woods Ct  
 Street Address of Property (if address has been assigned)

Waterford Park lot # 6  
 Legal Description (Subdivision Name, Lot number(s))

Lot 6 # 6,000 22E12BB06000  
 Tax Map and Tax Lot Number

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

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

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
Home Phone

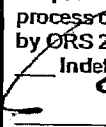
\_\_\_\_\_  
Work Phone

\_\_\_\_\_  
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 Indefinitely, or until \_\_\_\_\_

 \_\_\_\_\_  
 Signature Date 1-7-10

\_\_\_\_\_  
 Signature Date \_\_\_\_\_

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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: \_\_\_\_\_



**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:

14769 SE Crosswater Way  
 Street Address of Property (if address has been assigned)

(Waterford Park Lot 11)  
 Legal Description (Subdivision Name, Lot number(s))

Lot # 11 Tax lot # 6506 22E12BB06500  
 Tax Map and Tax Lot Number

*Kenneth McLaughlin*

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

<u><i>[Signature]</i></u> Signature	_____ Owner Initial	_____ Voter Initial	_____ Date
_____ Signature	_____ Owner Initial	_____ Voter Initial	_____ Date
_____ 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

Indefinitely, or until

*[Signature]*      1-7-10  
 Signature      Date

\_\_\_\_\_  
 Signature      Date

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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: \_\_\_\_\_





**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:

17100 SE SUNNYSIDE ROAD  
 Street Address of Property (if address has been assigned)  
1996-62  
 Legal Description (Subdivision Name, Lot number(s))  
23E06B 01100 0061149  
 Tax Map and Tax Lot Number

*CLK Congr. Jehovah Witness*

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

<u><i>Valley Center</i></u> Signature	Owner Initial	Voter Initial	<u>1-24-2011</u> Date
<u><i>[Signature]</i></u> Signature	Owner Initial	Voter Initial	<u>1/24/2011</u> Date
<u><i>[Signature]</i></u> Other Authorized Signature	Owner Initial	Voter Initial	<u>1-24-2011</u> Date

17100 SE SUNNYSIDE RD.

Street Address

Home Phone

Work Phone

P.O. Box 2564

Mailing Address

CLACKAMAS, OR 97015

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 \_\_\_\_\_ 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: \_\_\_\_\_  
 Types of housing units: \_\_\_\_\_ Single family \_\_\_\_\_ Multi-family \_\_\_\_\_ Mobile home or trailer  
 Number of people occupying these units: \_\_\_\_\_

**ORDINANCE NO. 413**  
**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, AMENDING OFFICIAL  
MAP EXHIBIT 11 OF THE CITY OF HAPPY VALLEY L AND DEVELOPMENT  
ORDINANCE NO. 97, AND DECLARING AN EMERGENCY.

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-01-11/LDC-01-11/CPA-01-11); and

WHEREAS, the proposed annexation territory consists of 11 tax lots totaling 3.76 acres of land adjacent to existing city boundaries; and

WHEREAS, the specific tax lots to be annexed include:

12E25A00700, 12E25A00800, 22E12BB05400, 22E12BB05500, 22E12BB05700,  
22E12BB05800, 22E12BB05900, 22E12BB06000, 22E12BB06500, 23E06B 00490,  
23E06B01100; 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 16.67.070 of the Happy Valley Municipal Code, the tax lots proposed for annexation will be re-designated and re-zoned from existing Clackamas County zones to the applicable city zoning designations per the City's Development Code; and

WHEREAS, the City Council considered the proposed annexation at its regularly scheduled City Council meeting on April 5, 2011; and

WHEREAS, the City 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 property described as Clackamas County Map Numbers 22E06B00490 is included within this annexation file to correct an administrative error associated with Ordinance Number 301.

WHEREAS, the City Council deems it in the public's interest to declare an emergency so that this ordinance takes effect as specified below, prior to the expiration of the 30-day period specified in the City Charter, because several of the subject properties are vacant lots that the property owner will be submitting building permits to the City for single-family home construction, subsequent to the processing of this annexation.

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 A, and depicted in Exhibit B is annexed to Happy Valley effective April 5, 2011.

Section 2. The City of Happy Valley declares through the legislative process that the following city comprehensive plan designations and zoning districts shall apply to the tax lots proposed for annexation, as pursuant to Section 16.67.070 of the Happy Valley Municipal Code:

12E25A00700 - Low Density Residential (R-10)  
12E25A00800 - Low Density Residential (R-10)  
22E12BB05400 - Low Density Residential (R-8.5)  
22E12BB05500 - Low Density Residential (R-8.5)  
22E12BB05700 - Low Density Residential (R-8.5)  
22E12BB05800 - Low Density Residential (R-8.5)  
22E12BB05900 - Low Density Residential (R-8.5)  
22E12BB06000 - Low Density Residential (R-8.5)  
22E12BB06500 - Low Density Residential (R-8.5)  
23E06B01100 - Institutional Public Use (IPU)

Section 3. The City Council adopts the subject annexation application (ANN-01-11/LDC-01-11/CPA-01-11) and the associated Staff Report to the City Council dated April 5, 2011.

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 5, 2011.

Section 5. As a condition for the annexation of each property in the territory described in Exhibit A and depicted 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 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).

Section 7. An emergency is declared to exist and as provided by Section 17 of the Happy Valley City Charter this ordinance takes effect on April 5, 2011.

COUNCIL APPROVAL AND UNANIMOUS ADOPTION AT ONE MEETING: [April 5, 2011]

---

Lori DeRemer  
Mayor

Adoption and date attested by:

---

Marylee Walden  
City Recorder

ENGINEERING PLANNING  
FORESTRY

13910 S.W. Galbreath Dr., Suite 100  
Sherwood, Oregon 97140  
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LANDSCAPE ARCHITECTURE  
SURVEYING

AKS Group of Companies:  
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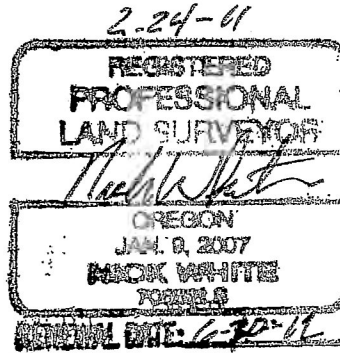
## EXHIBIT A

Legal Description  
Annexation Parcel

A tract of land located in the Northeast One-Quarter of Section 25, Township 1 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon and being more particularly described as follows:

Beginning at the North One-Quarter Corner of Section 25, thence along the north line of said Section, also being the centerline of SE Clatsop Street, South  $86^{\circ}31'06''$  East 978.26 feet to a point; thence South  $01^{\circ}35'40''$  West 262.52 feet to the southeast corner of Document Number 2010-43570 and the True Point of Beginning; thence along the east line of Deed Book 611 Page 180 and Document Number 69-10827 and the City of Happy Valley City Limits South  $01^{\circ}35'40''$  West 100.00 feet to a point; thence leaving the City of Happy Valley City Limits and along the south line of said Document Number 69-10827 North  $86^{\circ}31'06''$  West 140.02 feet to a point on the easterly line of SE 155<sup>th</sup> Avenue (the northerly east line of Parcel 1 of Partition Plat Number 2004-075); thence along said easterly lines of SE 155<sup>th</sup> Avenue and the City of Happy Valley City Limits North  $01^{\circ}35'40''$  East 100.00 feet to the northwest corner of said Deed Book 611 Page 180; thence along the north line of said Deed and the City of Happy Valley City Limits South  $86^{\circ}31'06''$  East 140.02 feet to the True Point of Beginning.

The above described tract of land contains 13,994 square feet, more or less. The Basis of Bearings is Partition Plat Number 2004-075, Clackamas County Surveyor's office.



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**EXHIBIT A**  
Legal Description  
Annexation Parcel

Lots 1, 2, 4, 5, 6, and 11 of the Plat of "Waterford Park" Plat Number 4219, Parcel 1 of Partition Plat Number 2002-103 and a tract of land located in the Northwest One-Quarter of Section 12, Township 2 South, Range 2 East, and in the Northeast One-Quarter of Section 11, Township 2 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon and being more particularly described as follows:

Beginning at the northeast corner of Lot 1 of the Plat of "Waterford Park", thence along the east line of said Plat and the southerly extension thereof South  $00^{\circ}03'36''$  West 445.61 feet to the southerly right-of-way line of SE Wenzel Drive (variable width right-of-way); thence along said southerly right-of-way line North  $89^{\circ}58'07''$  West 285.34 feet to a point; thence along a curve to the left with a Radius of 150.00, Delta of  $40^{\circ}46'32''$ , Length of 106.75 feet, and a Chord of South  $69^{\circ}38'40''$  West 104.51 feet to a point; thence along a curve to the right with a Radius of 250.00 feet, Delta  $39^{\circ}52'25''$ , Length of 173.98 feet, and a Chord of South  $69^{\circ}11'36''$  West 170.49 feet to a point; thence South  $89^{\circ}07'49''$  West 60.82 feet to a point; thence along a curve to the left with a Radius of 14.50 feet, Delta of  $90^{\circ}04'28''$ , Length of 22.80 feet, and a Chord of South  $44^{\circ}05'35''$  West 20.52 feet to a point on the easterly right-of-way line of SE 142<sup>nd</sup> Avenue (35.00 feet from centerline); thence along said easterly right-of-way line South  $00^{\circ}56'39''$  East 138.79 feet to a point; thence South  $14^{\circ}23'21''$  West 192.78 feet to a point; thence North  $75^{\circ}36'39''$  West 5.00 feet to a point on said easterly right-of-way line (30.00 feet from centerline); thence continuing along said easterly right-of-way line South  $14^{\circ}23'21''$  West 14.99 feet to a point on the City of Happy Valley City Limits; thence along said City Limits South  $88^{\circ}53'34''$  West 62.26 feet to point on the westerly right-of-way line of SE 142<sup>nd</sup> Avenue (30.00 feet from centerline); thence leaving said City Limits and along said westerly right-of-way line North  $14^{\circ}23'21''$  East 215.66 feet to a point; thence North  $00^{\circ}56'39''$  West 194.64 feet to a point on the westerly extension of northerly right-of-way line of SE Wenzel Drive; thence along said westerly extension and said northerly right-way-way line North  $89^{\circ}07'49''$  East 140.40 feet to a point; thence along a curve to the left with a Radius of 200.00 feet, Delta of  $39^{\circ}51'56''$ , Length of 139.16 feet, and a Chord of North  $69^{\circ}11'51''$  East 136.37 feet to a point; thence along a curve to the right with a Radius of 200.00 feet, Delta of  $40^{\circ}44'37''$ , Length of 142.22 feet, and a Chord of North  $69^{\circ}38'11''$  East 139.24 feet to a point; thence South  $89^{\circ}59'30''$  East 239.48 feet to a point; thence along a curve to the left with a Radius of 14.00 feet, Delta of  $89^{\circ}56'54''$ , Length of 21.98 feet, and a Chord of North  $45^{\circ}02'03''$  East 19.79 feet to a point on the westerly right-of-way line of SE Crosswater Way (32.00 foot wide right-of-way); thence along said westerly right-of-way line North  $00^{\circ}03'36''$  East 52.41 feet to the southeast corner of Lot 11 of said Plat; thence along the south line of said Lot 11 North  $89^{\circ}59'35''$  West 110.00 feet to the southwest corner of said Lot 11; thence along the west line of said Lot 11 North  $00^{\circ}00'25''$  East 62.00 feet to the northwest corner of Said Lot 11; thence along the north line of said Lot 11 South  $89^{\circ}59'35''$  East 110.06 feet to a point on the westerly right-of-way line of SE Crosswater Way (32.00 foot wide right-of-way); thence along said westerly right-of-way line North  $00^{\circ}03'36''$  East 56.71 feet to a point; thence along a curve to the left with a Radius of 11.00 feet, Delta of  $28^{\circ}45'28''$ , Length of 5.52 feet, and a Chord of North  $14^{\circ}19'18''$  West 5.46 feet to the southeast corner of Parcel 1 of Partition Plat

Number 2002-103; thence along the south line of said Parcel 1 North 89°59'40" West 218.76 feet to the easterly northeast corner of Lot 6 of the Plat of "Waterford Park"; thence along the east line of said Lot 6 South 00°00'25" West 91.01 feet to the southeast corner of said Lot 6; thence along the south line of said Lot 6 North 89°55'10" West 77.83 feet to the southwest corner of said Lot 6; thence along the west line of said Lot 6 and the west line of Lots 5 and 4 of said Plat North 00°04'50" East 294.54 feet to the northwest corner of said Lot 4; thence along the north line of said Lot 4 North 89°44'46" East 83.77 feet to the northeast corner of said Lot 4; thence along the east line of said Lot 4 South 00°15'14" East 90.00 feet to the southwest corner of Lot 3 of said Plat; thence along the south line of said Lot 3 North 89°44'46" East 82.00 feet to the southwest corner of Lot 2 of said Plat; thence along the west line of said Lot 2 North 00°15'14" West 90.00 feet to the northwest corner of said Lot 2; thence along the north line of said Lot 2 and the north line of Lot 1 of said Plat North 89°44'46" East 163.99 feet to the Point of Beginning.

The above described tract of land contains 3.19 acres, more or less. The Basis of Bearings is per the Plat of "Waterford Park" Plat Number 4219, Clackamas County Survey Records.



**ENGINEERING PLANNING  
FORESTRY**

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**LANDSCAPE ARCHITECTURE  
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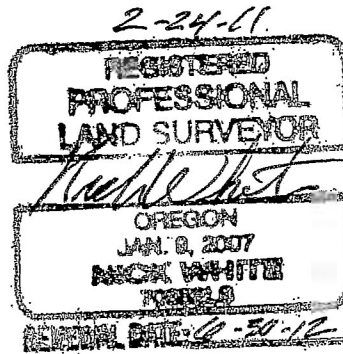
**EXHIBIT A**

Legal Description  
Annexation Parcel

A tract of land located in the Northwest One-Quarter of Section 6, Township 2 South, Range 3 East, Willamette Meridian, Clackamas County, Oregon and being more particularly described as follows:

Beginning at the Northwest Corner of Section 6 thence South 00°00'00" East 931.37 feet to a point; thence North 90°00'00" East 919.34 feet to the northwest corner of Document Number 96-028388 and the True Point of Beginning; thence along the north line of said Document South 89°26'07" East 16.00 feet to the northeast corner of said Document; thence along the east line of said Document and the City of Happy Valley City Limits South 01°37'53" West 577.57 feet to a point on the northerly right-of-way line of SE Sunnyside Road (variable width); thence along said northerly right-of-way line North 88°51'48" West 16.00 feet to a point; thence along the west line of said Document and the City of Happy Valley City Limits North 01°37'53" East 577.41 feet to the True Point of Beginning.

The above described tract of land contains 9,237 square feet, more or less. The Basis of Bearings is Clackamas County Survey Number 2009-170.





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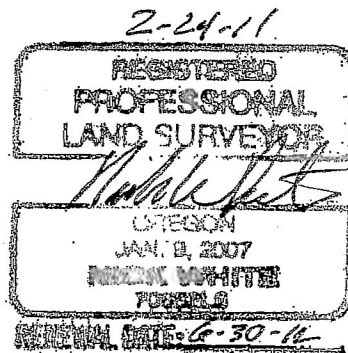
**EXHIBIT A**

Legal Description  
Annexation Parcel

Parcel 1 of Partition Plat Number 1996-62, located in the Northwest One-Quarter of Section 6, Township 2 South, Range 3 East, Willamette Meridian, Clackamas County, Oregon and being more particularly described as follows:

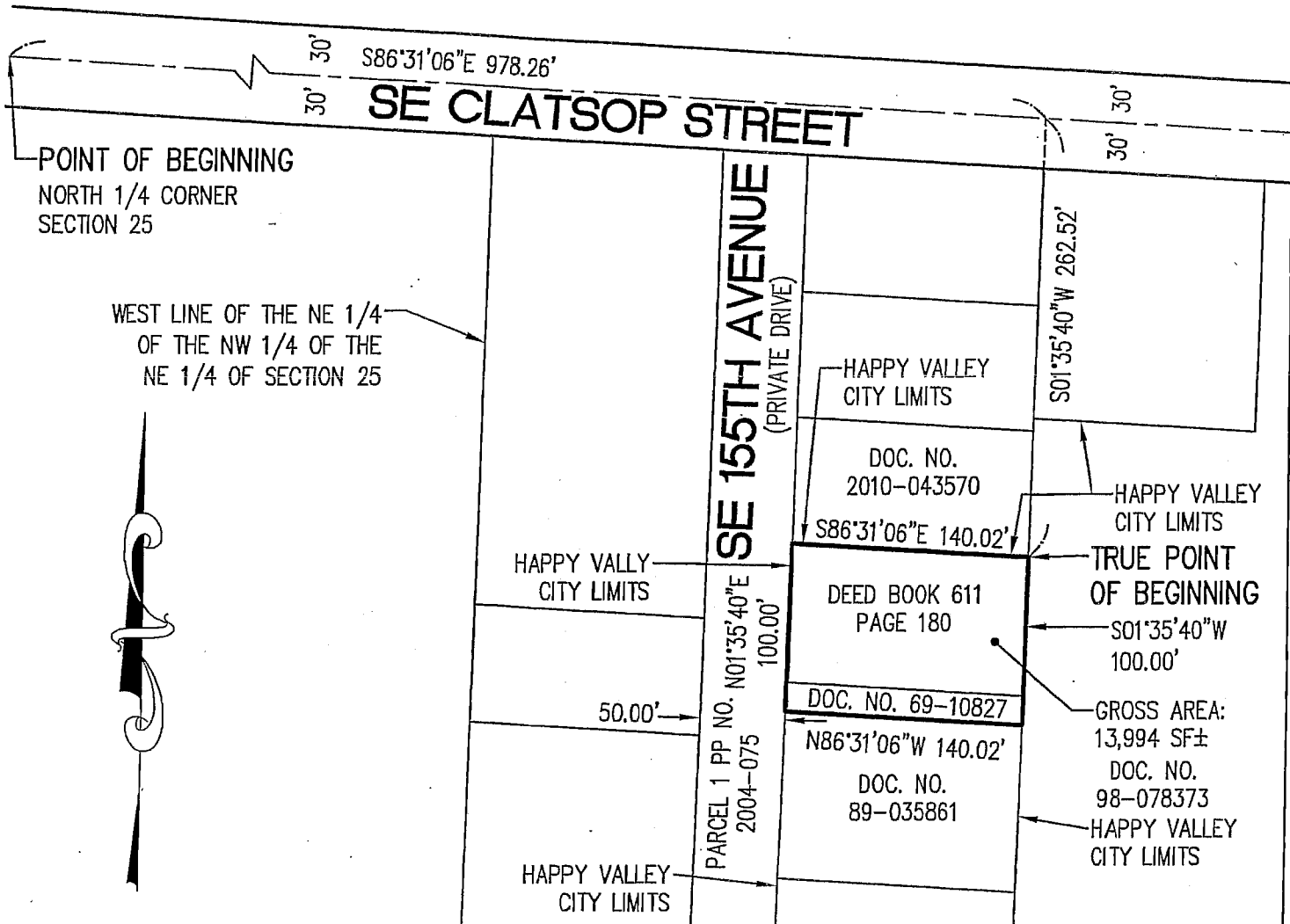
Beginning at the northwest corner of Parcel 1 of Partition Plat Number 1996-62, being on the southerly right-of-way line of SE Sunnyside Road (55.94 feet from centerline) and the southerly line of City of Happy Valley City Limits, thence along said southerly right-of-way line South 76°22'02" East 305.00 feet to the northeast corner of said Parcel; thence along the east line of said Parcel and the City of Happy Valley City Limits South 00°46'43" West 174.41 feet to the southeast corner of said Parcel; thence along the southerly line of said Parcel and the City of Happy Valley City Limits South 89°40'17" West 333.30 feet to the southwest corner of said Parcel 1; thence along the southerly westerly line of said Parcel 1 and the easterly line of City of Happy Valley City Limits North 03°57'25" East 161.67 feet to an angle point in said west line; thence continuing along said west line and said east line of City of Happy Valley City Limits North 17°55'02" East 91.34 feet to the Point of Beginning.

The above described tract of land contains 1.58 acres, more or less. The Basis of Bearings is Clackamas County Survey Number 2009-170.



# EXHIBIT B

A TRACT OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 1 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON



WEST LINE OF THE NE 1/4 OF THE NW 1/4 OF THE NE 1/4 OF SECTION 25



SCALE 1" = 100 FEET



PREPARED FOR  
CITY OF HAPPY VALLEY  
16000 SE MISTY DRIVE  
HAPPY VALLEY, OR 97086

THE BASIS OF BEARINGS IS PER PARTITION PLAT 2004-075, CLACKAMAS COUNTY SURVEYOR'S OFFICE.

2-24-11  
REGISTERED PROFESSIONAL LAND SURVEYOR

*Nick White*  
OREGON  
JANUARY 9, 2007  
NICK WHITE  
70652LS  
RENEWS: 6/30/12

JOB NAME: COHV ANNEX
JOB NUMBER: 2582
DRAWN BY: MSK
CHECKED BY: NSW
DWG NO.: 2582ANNEX

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FAX: (503) 925-8969

OFFICES LOCATED IN REDMOND, OR & VANCOUVER, WA

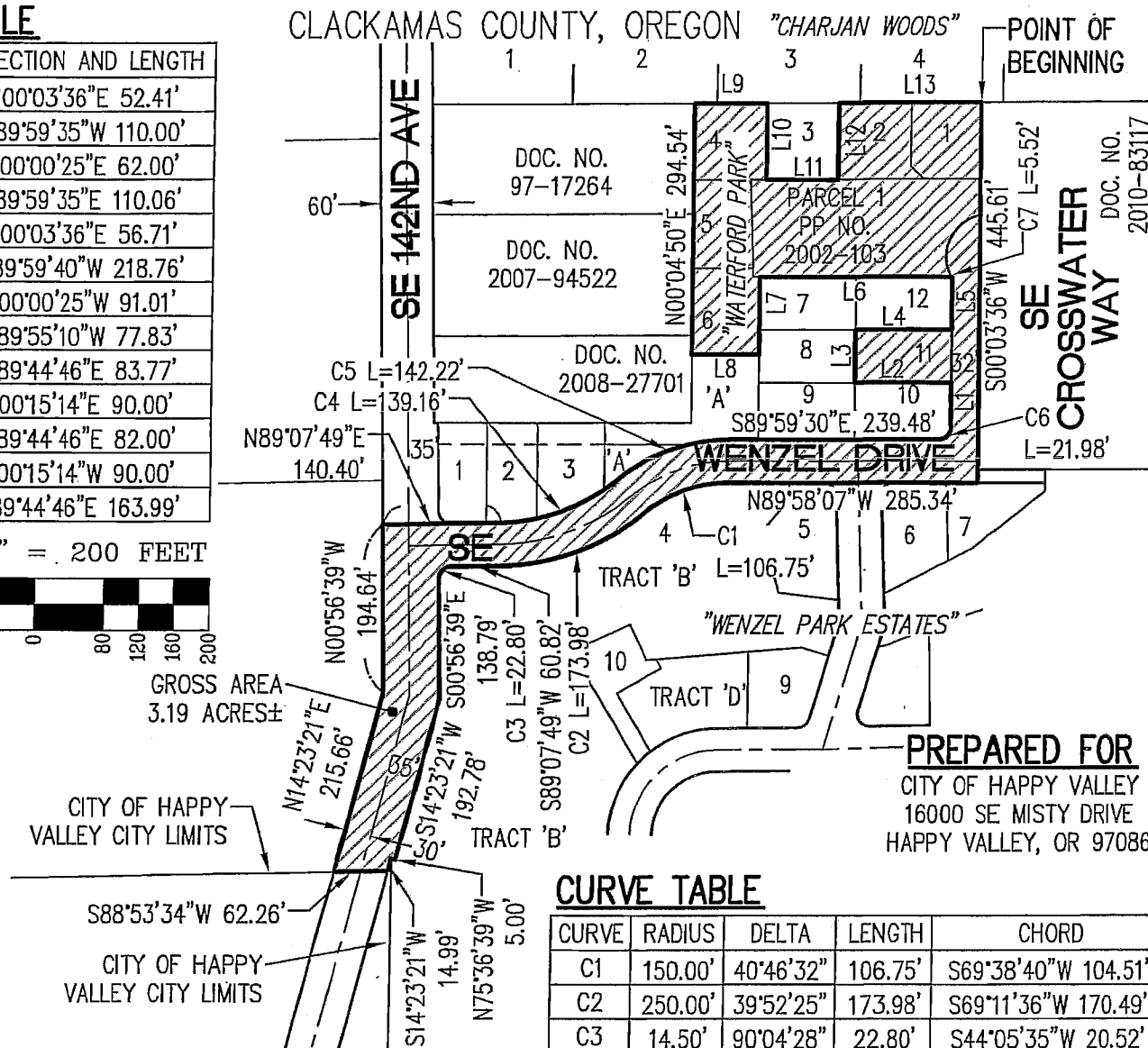
# EXHIBIT B

LOTS 1, 2, 4, 5, 6, AND 11 OF "WATERFORD PARK", PARCEL 1 OF PARTITION PLAT NO. 2002-103, AND A TRACT OF LAND LOCATED IN THE NW 1/4 OF SEC. 12, T2S, R2E, AND IN THE NE 1/4 OF SEC. 11, T2S, R2E, WILLAMETTE MERIDIAN,

## LINE TABLE

LINE	DIRECTION AND LENGTH
L1	N00°03'36"E 52.41'
L2	N89°59'35"W 110.00'
L3	N00°00'25"E 62.00'
L4	S89°59'35"E 110.06'
L5	N00°03'36"E 56.71'
L6	N89°59'40"W 218.76'
L7	S00°00'25"W 91.01'
L8	N89°55'10"W 77.83'
L9	N89°44'46"E 83.77'
L10	S00°15'14"E 90.00'
L11	N89°44'46"E 82.00'
L12	N00°15'14"W 90.00'
L13	N89°44'46"E 163.99'

SCALE 1" = 200 FEET



GROSS AREA  
3.19 ACRES±

CITY OF HAPPY VALLEY CITY LIMITS

CITY OF HAPPY VALLEY CITY LIMITS

THE BASIS OF BEARINGS IS PER THE PLAT OF "WATERFORD PARK" PLAT NO. 4219, CLACKAMAS COUNTY SURVEYOR'S OFFICE.

2-24-11

REGISTERED PROFESSIONAL LAND SURVEYOR

*Nick White*

OREGON  
JANUARY 9, 2007  
NICK WHITE  
70652LS

RENEWS: 6/30/12

JOB NAME: COHV ANNEX
JOB NUMBER: 2582
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FAX: (503) 925-8969

OFFICES LOCATED IN REDMOND, OR & VANCOUVER, WA.

## CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	150.00'	40°46'32"	106.75'	S69°38'40"W 104.51'
C2	250.00'	39°52'25"	173.98'	S69°11'36"W 170.49'
C3	14.50'	90°04'28"	22.80'	S44°05'35"W 20.52'
C4	200.00'	39°51'56"	139.16'	N69°11'51"E 136.37'
C5	200.00'	40°44'37"	142.22'	N69°38'11"E 139.24'
C6	14.00'	89°56'54"	21.98'	N45°02'03"E 19.79'
C7	11.00'	28°45'28"	5.52'	N14°19'18"W 5.46'

PREPARED FOR  
CITY OF HAPPY VALLEY  
16000 SE MISTY DRIVE  
HAPPY VALLEY, OR 97086

DOC. NO. 2010-83117

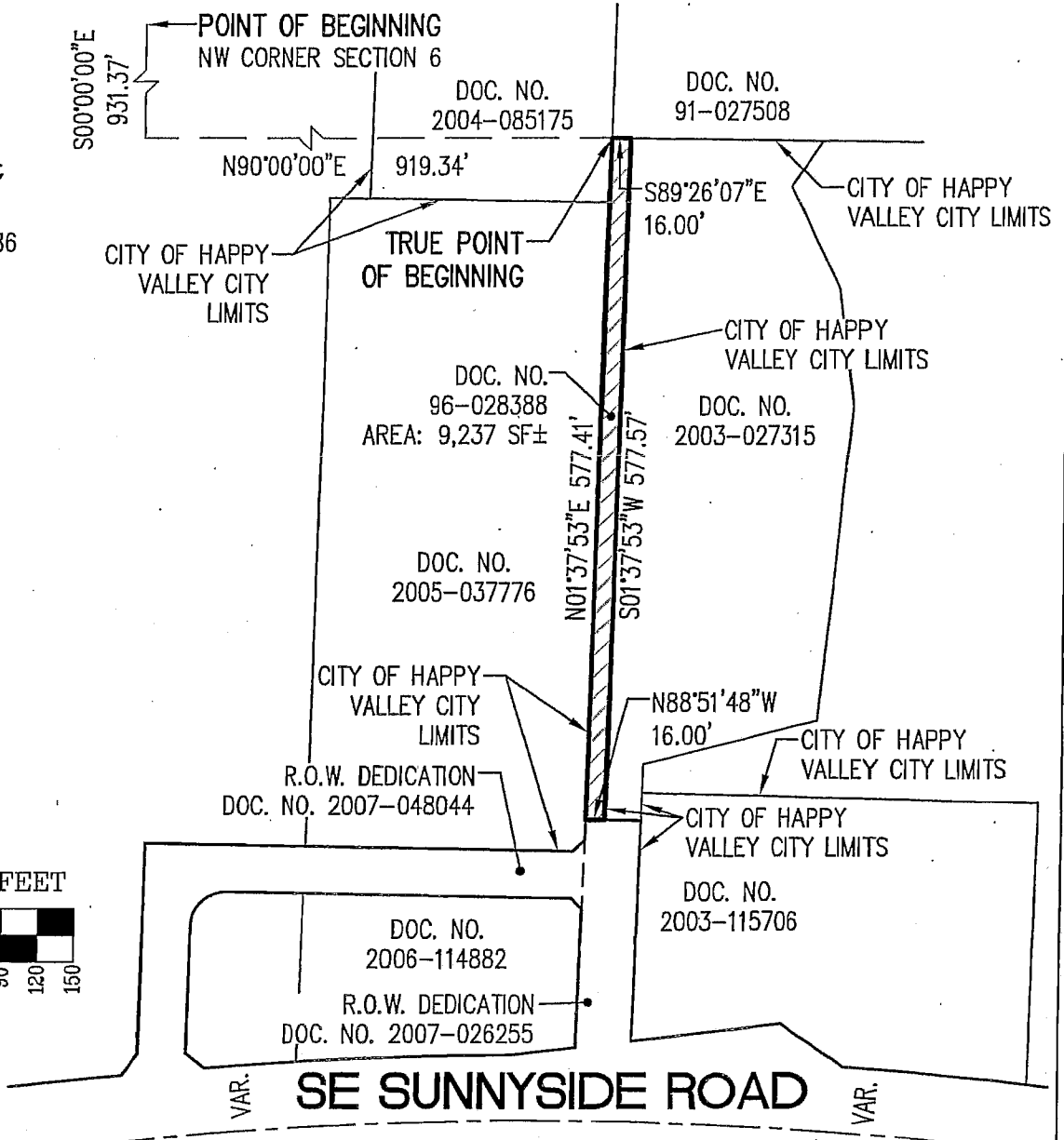
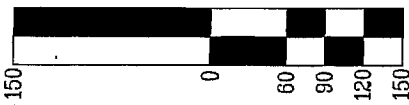
# EXHIBIT B

A TRACT OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 6,  
TOWNSHIP 2 SOUTH, RANGE 3 EAST, WILLAMETTE MERIDIAN,  
CLACKAMAS COUNTY, OREGON

PREPARED FOR  
CITY OF HAPPY VALLEY  
16000 SE MISTY DRIVE  
HAPPY VALLEY, OR 97086



SCALE 1" = 150 FEET



THE BASIS OF BEARINGS IS PER CLACKAMAS  
COUNTY SURVEY NUMBER 2009-170.

2-24-11  
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Nick White*  
OREGON  
JANUARY 9, 2007  
NICK WHITE  
70652LS  
RENEWS: 6/30/12

JOB NAME: COHV ANNEX
JOB NUMBER: 2582
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**AKS**  
ENGINEERING & FORESTRY

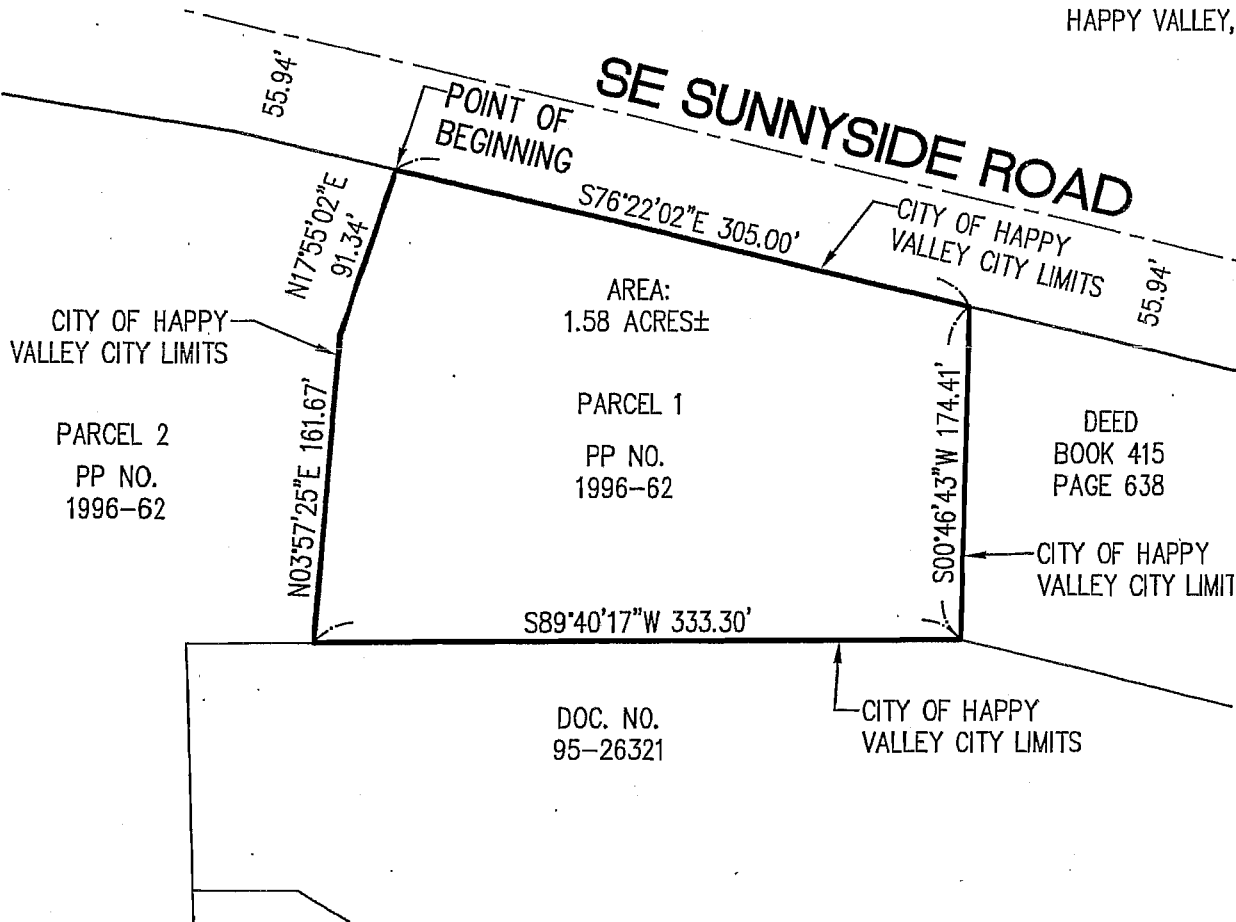
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SHERWOOD, OR 97140  
PHONE: (503) 925-8799  
FAX: (503) 925-8969  
OFFICES LOCATED IN REDMOND, OR & VANCOUVER, WA

# EXHIBIT B

PARCEL 1 OF PP NO. 1996-62, LOCATED IN THE  
NORTHWEST 1/4 OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 3  
EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON

## PREPARED FOR

CITY OF HAPPY VALLEY  
16000 SE MISTY DRIVE  
HAPPY VALLEY, OR 97086



SCALE 1" = 100 FEET



THE BASIS OF BEARINGS IS PER CLACKAMAS  
COUNTY SURVEY NUMBER 2009-170.

2-24-11

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JANUARY 9, 2007  
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OFFICES LOCATED IN REDMOND, OR & VANCOUVER, WA

ALLEY  
DRIVE  
ON 97086



DEPT OF  
APR 11 2011  
LAND CONSERVATION  
AND DEVELOPMENT

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

Attn: Angela Houck