



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

Fax: 503-378-5518

www.oregon.gov/LCD



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: November 30, 2015
Jurisdiction: City of Scappoose
Local file no.: ANX 1-15/ZC 2-15
DLCD file no.: 002-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 11/23/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 41 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE
File No.: 002-15 {23826}
Received: 11/23/2015

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Scappoose

Local file no.: **ANX1-15/ZC2-15**

Date of adoption: 11/18/2015

Date sent: 11/23/2015

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 5/28/2015

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

Same. The election was certified on November 18, 2015 which makes the annexation ordinance effective as of that date.

Local contact (name and title): Laurie Oliver, Associate City Planner

Phone: 503-543-7184

E-mail: loliver@cityofscappoose.org

Street address: 33568 E Columbia Ave

City: Scappoose

Zip: 97056-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- | | | | |
|-------------|----|--------|--|
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this change. |

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from County M-2	to City Light Industrial	Acres: 22
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address): 3N2W1-CO-00600, 3N2W1-CO-03100 & 3N2W1-CC-01700

List affected state or federal agencies, local governments and special districts: Columbia County

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

Annexation of approximately 22 acres of land within the Urban Growth Boundary and an automatic zone change to LI (Light Industrial) in conformance with the Comprehensive Plan and Development Code provisions.

ORDINANCE NO. 842

AN ORDINANCE APPROVING ANNEXATION OF PROPERTY TO THE CITY OF SCAPPOOSE, AMENDING THE ZONING MAP, AND CALLING AN ELECTION

WHEREAS, an application was filed by Scappoose Holding, LLC. to annex property described in Exhibit A, attached hereto and incorporated herein, to the City of Scappoose; and

WHEREAS, pursuant to Section 17.136.070 of the Scappoose Municipal Code, the property described in Exhibit A would automatically be zoned Light Industrial (LI) upon annexation due to the property's "Industrial" Comprehensive Plan designation; and

WHEREAS, hearings were held pursuant to Scappoose Municipal Code Chapters 17.22 and 17.136; and

WHEREAS, pursuant to Section 17.136.030 of the Scappoose Municipal Code, annexations must be referred to the voters of the City for approval; now therefore,

THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

Section 1. The application to annex the property described in Exhibit A is hereby approved, subject to approval by the voters of the City. Pursuant to ORS 222.160, the Exhibit A property will be declared by Resolution to be annexed to the City of Scappoose if the Columbia County Elections Officer certifies that the majority of voters in the City approve the measure.

Section 2. Pursuant to Scappoose Municipal Code Chapter 17.136, annexation of the Exhibit A property will be submitted to Columbia County to be placed on the November 3, 2015 ballot. The ballot title for such measure is herein adopted, and attached hereto as Exhibit B.

Section 3. In support of the above annexation, the City Council hereby adopts the findings, conclusions and recommendations of the Staff Report dated June 29, 2015, attached as Exhibit C.

Section 4. The annexation approved by this Ordinance shall take effect upon the date of certification of the election approving the annexation measure.

Section 5. Upon certification of the election on annexation, the City Planner is directed to conform the City Zoning Map to the provisions of this ordinance.

PASSED AND ADOPTED by the City Council this 3rd day of August, 2015, and signed by the Mayor and City Recorder in authentication of its passage.

CITY OF SCAPPOOSE, OREGON

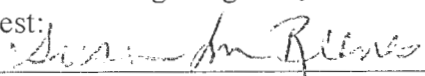


Scott Burge, Mayor

First Reading: July 20, 2015

Second Reading: August 3, 2015

Attest:



Susan M. Reeves, MMC, City Recorder

Exhibit A

Legal description of property to be annexed and zoned Light Industrial

Columbia County Assessor Map No. 3201-CO-00600, 3201-CO-03100, and 3201-CC-01700

Real property in the County of Columbia, State of Oregon, described as follows:

PARCEL 1: A PARCEL OF LAND LYING IN THE TIMOTHY LAMBERSON DONATION LAND CLAIM OF SECTIONS 1 AND 2, TOWNSHIP 3 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON AND BEING SPECIFICALLY ALL THE FOLLOWING DESCRIBED PROPERTY: THE SAID PARCEL BEING DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WESTERLY LINE OF THE TIMOTHY LAMBERSON DONATION LAND CLAIM, SAID POINT BEING THE INTERSECTION OF THE CENTER OF SCAPPOOSE CREEK AND SAID WESTERLY LINE OF SAID TIMOTHY LAMBERSON DONATION LAND CLAIM, SAID POINT ALSO BEING SOUTH 20°01' WEST 674.10 FEET FROM THE NORTHWEST CORNER OF SAID TIMOTHY LAMBERSON DONATION LAND CLAIM IN SECTION 2, TOWNSHIP 1 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON; THENCE ALONG THE CENTER OF SAID SCAPPOOSE CREEK AS FOLLOWS: SOUTH 27°25' EAST A DISTANCE OF 148.36 FEET; THENCE NORTH 46°11' EAST A DISTANCE OF 222.10 FEET; THENCE SOUTH 59°16' EAST A DISTANCE OF 364.70 FEET; THENCE NORTH 75°18' EAST A DISTANCE OF 135.60 FEET; THENCE SOUTH 33°25' EAST A DISTANCE OF 344.0 FEET; THENCE SOUTH 9°35' WEST A DISTANCE OF 232.90 FEET; THENCE SOUTH 81°21' EAST A DISTANCE OF 131.20 FEET; THENCE NORTH 84°27' EAST A DISTANCE OF 184.35 FEET; THENCE SOUTH 84°13' EAST A DISTANCE OF 241.12 FEET TO THE WEST LINE OF THAT TRACT OF LAND CONVEYED BY THE UNITED STATES NATIONAL BANK OF PORTLAND TO JASPER E. YOUNG BY DEED RECORDED IN BOOK 45, PAGE 287, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE SOUTH ALONG THE WEST LINE OF SAID JASPER E. YOUNG TRACT AND CONTINUATION THEREOF TO THE NORTHEASTERLY RIGHT OF WAY LINE OF THE PORTLAND & SOUTHWESTERN RAILROAD; THENCE WESTERLY FOLLOWING SAID NORTHEASTERLY RAILROAD RIGHT OF WAY TO THE WESTERLY LINE OF SAID TIMOTHY LAMBERSON DONATION LAND CLAIM; THENCE NORTH 20°01' EAST ALONG SAID WESTERLY LINE OF SAID TIMOTHY LAMBERSON DONATION LAND CLAIM A DISTANCE OF 112.38 FEET TO THE POINT OF BEGINNING. EXCEPTING THEREFROM THAT TRACT CONVEYED TO WALTER FRISCHMAN ET UX BY DEED RECORDED OCTOBER 9, 1950 IN BOOK 108, PAGE 473, DEED RECORDS OF COLUMBIA COUNTY, OREGON; AND ALSO EXCEPTING TRACT CONVEYED TO ROBERT H. DUDLEY ET UX BY DEED RECORDED MARCH 26, 1962 IN BOOK 148, PAGE 500, DEED RECORDS OF COLUMBIA COUNTY, OREGON.

PARCEL 2: A PARCEL OF LAND LYING IN THE TIMOTHY LAMBERSON DONATION LAND CLAIM IN SECTIONS 1 AND 2, TOWNSHIP 3 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON, AND BEING SPECIFICALLY ALL THE FOLLOWING DESCRIBED PROPERTY: THE SAID PARCEL BEING DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WESTERLY LINE OF THE TIMOTHY LAMBERSON DONATION LAND CLAIM, SAID POINT BEING THE INTERSECTION OF THE CENTER OF SCAPPOOSE CREEK AND SAID WESTERLY LINE OF SAID TIMOTHY LAMBERSON DONATION LAND CLAIM, SAID POINT ALSO BEING SOUTH 20°01' WEST 674.10 FEET FROM THE NORTHWEST CORNER OF SAID TIMOTHY LAMBERSON DONATION LAND CLAIM IN SECTION 2, TOWNSHIP 3 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON; THENCE ALONG THE CENTER OF SAID SCAPPOOSE CREEK AS FOLLOWS: SOUTH 27°25' EAST A DISTANCE OF 148.36 FEET; THENCE NORTH 46°11' EAST A DISTANCE OF 222.10 FEET; THENCE SOUTH 59°16' EAST A DISTANCE OF 364.70 FEET; THENCE NORTH 75°18' EAST A DISTANCE OF 135.60 FEET; THENCE SOUTH 33°25' EAST A DISTANCE OF 344.0 FEET; THENCE SOUTH 9°35' WEST A DISTANCE OF 232.90 FEET; THENCE SOUTH 81°21' EAST A DISTANCE OF 131.20 FEET; THENCE NORTH 84°27' EAST A DISTANCE OF 184.35 FEET; THENCE SOUTH 84°13' EAST A DISTANCE OF 241.12 FEET TO THE WEST LINE OF THAT TRACT OF LAND CONVEYED BY THE UNITED STATES NATIONAL BANK OF PORTLAND TO JASPER E. YOUNG BY DEED RECORDED IN BOOK 45, PAGE 287, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE SOUTH ALONG THE WEST LINE OF SAID JASPER E. YOUNG TRACT A DISTANCE OF 30.15 FEET TO THE TRUE POINT OF BEGINNING; THENCE

SOUTH 67°43' EAST ALONG THE SOUTHERLY UNE Of SAID JASPER E. YOUNG TRACT A DISTANCE Of 410.42 FEET; THENCE SOUTH TO THE NORTH LINE Of PARCEL 2 CONVEYED TO ALBERT BRAWAND BY DEED RECORDED MAY 3, 1956 IN BOOK 128, PAGE 484, DEED RECORDS Of COLUMBIA COUNTY, OREGON; THENCE NORTH 82°53' WEST A LONG THE NORTH UNE Of SAID BRAWAND TRACT TO THE NORTHEASTERLY RIGHT Of WAY UNE Of THE PORTLAND AND SOUTHWESTERN RAILROAD; THENCE WESTERLY ALONG THE SAID NORTHEASTERLY RAILROAD RIGHT Of WAY TO A POINT THAT IS DUE SOUTH Of THE TRUE POINT Of BEGINNING; THENCE NORTH TO THE TRUE POINT Of BEGINNING.

PARCEL 3: A PARCEL Of LAND LYING IN THE TIMOTHY LAMBERSON DONATION LAND CLAIM IN SEC110NS 1 AND 2, TOWNSHIP 3 NORTH, RANGE 2 west, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON, AND BEING SPECIFICALLY All THE FOLLOWING DESCRIBED PROPERTY: THE SAID PARCEL BEING DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WESTERLY LINE Of THE TIMOTHY LAMBERSON DONATION LAND CLAIM, SAID POINT BEING THE INTERSECTION Of THE CENTER Of SCAPPOOSE CREEK AND SAID WESTERLY LINE Of SAID TIMOTHY LAMBERSON DONATION LAND CLAIM, SAID POINT ALSO BEING SOUTH 20°01' WEST 674.01 FEET FROM THE NORTHWEST CORNER Of SAID TIMOTHY LAMBERSON DONATION LAND CLAIM IN SECTION 2, TOWNSHIP 3 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON; THENCE ALONG THE CENTER Of SAID SCAPPOOSE CREEK AS FOLLOWS: SOUTH 27°25' EAST A DISTANCE Of 148.36 FEET; THENCE NORTH 46°11' EAST A DISTANCE Of 222.10 FEET; THENCE SOUTH 59°16' EAST A DISTANCE Of 364.70 FEET; THENCE NORTH 75°18' EAST A DISTANCE Of 135 .. 60 FEET; THENCE SOUTH 33°25' EAST A DISTANCE Of 344.0 FEET; THENCE SOUTH 9°35' WEST A DISTANCE Of 232.90 FEET; THENCE 81°21' EAST A DISTANCE Of 131.20 FEET; THENCE NORTH 84°27' EAST A DISTANCE Of 184.35 FEET; THENCE SOUTH 84°13' EAST A DISTANCE Of 241.12 FEET TO THE WEST UNE Of THAT TRACT Of LAND CONVEYED BY UNITED STATES NATIONAL BANK Of PORTLAND TO JASPER E. YOUNG BY DEED RECORDED IN BOOK 45, PAGE 287, DEED RECORDS Of COLUMBIA COUNTY, OREGON; THENCE SOUTH ALONG THE WEST UNE Of SAID JASPER E. YOUNG TRACT A DISTANCE Of 30.15 FEET; THENCE SOUTH 67°43' EAST ALONG THE SOUTHERLY UNE Of SAID JASPER E. YOUNG TRACT A DISTANCE Of 410.42 FEET TO THE TRUE POINT Of BEGINNING; THENCE SOUTH 85°44' EAST ALONG THE SOUTH UNE Of SAID JASPER E. YOUNG TRACT A DISTANCE Of 1315.98 FEET TO THE WESTERLY RIGHT Of WAY LINE Of THE COLUMBIA RIVER HIGHWAY; THENCE SOUTH 3°40'30" EAST ALONG SAID WESTERLY RIGHT Of WAY UNE Of SAID COLUMBIA RIVER HIGHWAY A DISTANCE Of 670.60 FEET, SAID POINT BEING 40.00 FEET DISTANT WHEN MEASURED AT RIGHT ANGLES, FROM HIGHWAY ENGINEER'S CENTERLINE STATION 964+30; THENCE NORTH 82°53' WEST TO A POINT THAT IS DUE SOUTH Of THE POINT Of BEGINNING; THENCE NORTH TO THE TRUE POINT Of BEGINNING. EXCEPTING THEREFROM A TRACT CONVEYED TO HOMER A. GRISWOLD ET UX BY DEED RECORDED SEPTEMBER 6, 1950 IN BOOK 108, PAGE 254, DEED RECORDS Of COLUMBIA COUNTY, OREGON.

PARCEL 4: A PARCEL Of LAND IN SECTION 1, TOWNSHIP 3 NORTH, RANGE 2 WEST Of THE WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS SOUTH 1393.8 FEET AND EAST 3827.8 FEET FROM THE SOUTHWEST CORNER Of THE TIMOTHY LAMBERSON DONATION LAND CLAIM, COLUMBIA COUNTY, OREGON; THENCE NORTH 3° 40 1/2' WEST 1505.30 FEET TO THE SOUTHEAST CORNER Of TRACT EXCEPTED IN DEED AS DESCRIBED IN DEED TO ALBERT BRAWAND, RECORDED DECEMBER 12, 1967 IN BOOK 167, PAGE 556, DEED RECORDS Of COLUMBIA COUNTY, OREGON; THENCE NORTH 80°41' WEST A DISTANCE Of 363.36 FEET TO A POINT THAT IS NORTH 11°45' EAST FROM THE NORTHEAST CORNER Of TRACT DESCRIBED IN DEED TO ALBERT BRAWAND RECORDED DECEMBER 11, 1968 IN BOOK 171, PAGE 902, DEED RECORDS Of COLUMBIA COUNTY, OREGON, AND THE TRUE POINT Of BEGINNING Of THE FOLLOWING DESCRIBED TRACT; THENCE SOUTH 11°45' WEST TO THE NORTHEAST CORNER Of SAID BRAWAND TRACT AS DESCRIBED IN SAID DEED BOOK 171, PAGE 902; THENCE NORTH 82°53' WEST A DISTANCE Of 28.8 FEET TO A POINT; THENCE NORTH 83°15' WEST A DISTANCE Of 277.85 FEET TO A POINT, SAID POINT BEING ON THE WEST LINE Of THE HOMER A. GRISWOLD ET UX TRACT AS DESCRIBED IN DEED RECORDED SEPTEMBER 6, 1950 IN BOOK 108, PAGE 254, DEED RECORDS Of COLUMBIA COUNTY, OREGON; THENCE NORTH

30 35' WEST ALONG THE WEST LINE OF SAID GRISWOLD TRACT A DISTANCE OF 166.1 FEET TO THE SOUTHWEST CORNER OF THE ROY E. BAKER ET AL TRACT AS DESCRIBED IN DEED RECORDED MAY 15, 1974 IN BOOK 196, PAGE 231, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE SOUTH 58°37' EAST ALONG THE SOUTH LINE OF SAID BAKER ET AL TRACT A DISTANCE OF 338.57 FEET TO THE MOST SOUTHERLY SOUTHEAST CORNER OF SAID BAKER ET AL TRACT; THENCE NORTH 7°05' EAST ALONG THE EAST LINE OF SAID BAKER ET AL TRACT, A DISTANCE OF 11.1 FEET TO THE SOUTHWEST CORNER OF THE RIESTERER LUMBER PRODUCTS TRACT AS DESCRIBED IN INSTRUMENT RECORDED OCTOBER 10, 1966 IN BOOK 163, PAGE 106, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE SOUTH 80° 41' EAST ALONG THE SOUTH LINE OF SAID RIESTERER LUMBER PRODUCTS TRACT TO THE TRUE POINT OF BEGINNING.

PARCELS: A TRACT IN SECTION 1, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE COLUMBIA RIVER HIGHWAY, WHERE SAID WESTERLY RIGHT OF WAY LINE INTERSECTS THE NORTHERLY RIGHT OF WAY LINE OF THE PORTLAND & SOUTHWESTERN RAILROAD, SAID POINT BEING 40.0 FEET DISTANT (WHEN MEASURED AT RIGHT ANGLES) FROM HIGHWAY ENGINEERS CENTERLINE STATION 979+15.7; SAID POINT ALSO BEING SOUTH 1393.8 FEET AND EAST 3821.1 FEET FROM THE SOUTHWEST CORNER OF THE TIMOTHY LAMBERSON DONATION LAND CLAIM; THENCE NORTH 3°40'30" WEST PARALLEL TO AND 40.0 FEET DISTANT (WHEN MEASURED AT RIGHT ANGLES) FROM THE CENTERLINE OF THE COLUMBIA RIVER HIGHWAY A DISTANCE OF 1485.7 FEET AND NORTH 82°53' WEST 433.22 FEET TO THE TRUE POINT OF BEGINNING FOR THE FOLLOWING DESCRIBED PROPERTY; THENCE SOUTH 17°23' WEST A DISTANCE OF 840.74 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SAID PORTLAND & SOUTHWESTERN RAILROAD; THENCE NORTH 37°07' WEST ALONG SAID RAILROAD RIGHT OF WAY LINE A DISTANCE OF 821.22 FEET; THENCE ALONG SAID RAILROAD RIGHT OF WAY LINE ON A 2889.19 FOOT RADIUS CURVE LEFT, THE LONG CHORD OF WHICH BEARS NORTH 40°18' WEST A DISTANCE OF 352.33 FEET; THENCE SOUTH 82°53' EAST A DISTANCE OF 982.16 FEET TO THE POINT OF BEGINNING. EXCEPTING THEREFROM TRACT DESCRIBED IN INSTRUMENT RECORDED SEPTEMBER 24, 1971 IN BOOK 183, PAGE 697, DEED RECORDS OF COLUMBIA COUNTY, OREGON. ALSO EXCEPTING THEREFROM TRACTS DESCRIBED IN DEEDS TO THEODORE F. OMS ET AL, RECORDED OCTOBER 5, 1971 IN BOOK 183, PAGE 874, ANJ RECORDED OCTOBER 6, 1911 IN BOOK 183, PAGE 892, DEED RECORDS OF COLUMBIA COUNTY, OREGON.

PARCEL 6: A 50 FOOT RIGHT OF WAY EASEMENT AS RESERVED IN CONTRACT RECORDED IN BOOK 183, PAGE 697, DEED RECORDS OF COLUMBIA COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS SOUTH 1393.8 FEET AND EAST 3827.8 FEET FROM SOUTHWEST CORNER OF THE TIMOTHY LAMBERSON DONATION LAND CLAIM IN SECTION 1, TOWNSHIP 3 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON; THENCE NORTH 3° 40 1/2' WEST 1505.30 FEET TO THE SOUTHEAST CORNER OF TRACT EXCEPTED IN DEED AS DESCRIBED IN DEED TO ALBERT BRAWAND RECORDED DECEMBER 12, 1967 IN BOOK 167, PAGE 556, DEED RECORDS OF COLUMBIA COUNTY, OREGON, AND THE TRUE POINT OF BEGINNING; THENCE NORTH 80° 41' WEST A DISTANCE OF 363.36 FEET TO A POINT THAT IS NORTH 11° 45' EAST FROM THE NORTHEAST CORNER OF TRACT DESCRIBED IN DEED TO ALBERT BRAWAND RECORDED DECEMBER 17, 1968 IN BOOK 171, PAGE 902, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE SOUTH 11° 45' WEST TO THE NORTHEAST CORNER OF SAID BRAWAND TRACT AS DESCRIBED IN DEED IN BOOK 171, PAGE 902, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE NORTH 82° 53' WEST A DISTANCE OF 28.8 FEET TO A POINT; THENCE NORTH 83° 15' WEST A DISTANCE OF 277.85 FEET TO A POINT; THENCE SOUTH 0° 17' WEST TO A POINT WHICH IS 50.0 FEET, WHEN MEASURED AT RIGHT ANGLES, FROM THE PROLONGATION NORTH 80° 41' WEST OF THE SOUTH LINE OF SAID TRACT EXCEPTED AS DESCRIBED IN DEED IN BOOK 167, PAGE 556, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE SOUTH 80° 41' EAST TO A POINT WHICH BEARS SOUTH 3° 40 1/2' EAST OF THE TRUE POINT OF BEGINNING; THENCE NORTH 3° 40 1/2' WEST TO THE TRUE POINT OF BEGINNING; EXCEPTING THEREFROM THAT PORTION LYING WITHIN THE COLUMBIA RIVER HIGHWAY.

**Exhibit B
Ballot Title**

NOTICE OF CITY MEASURE ELECTION

City of Scappoose
(Name of City)

Notice is hereby given on August 3, 2015 that a measure election will be held in Columbia County, Oregon on November 3, 2015,
(Name of county) (Date of election)

The following shall be the ballot title of the measure to be submitted to the county's voters on this date: November 3, 2015.

CAPTION (10 Words)

ANNEXATION OF INDUSTRIAL PROPERTY TO THE CITY OF SCAPPOOSE

QUESTION (20 Words)

Shall the described property be annexed to the City of Scappoose?

SUMMARY (175 Words)

Scappoose Holding, LLC has requested that the City annex approximately 22.4 acres of property to the City of Scappoose. The property is located northeast of the Scappoose-Vernonia Road and Bellcrest Road intersection, and is described as Columbia County Assessor Map No. 3201-CO-00600, 3201-CO-03100, and 3201-CC-01700. The property is located in the Scappoose Urban Growth Boundary and is contiguous to Scappoose City limits. Upon annexation, the property would be zoned Light Industrial (LI). The Scappoose Planning Commission and City Council have approved this annexation proposal.

The following authorized city official hereby certifies the above ballot title is true and complete, which includes completion of the ballot title challenge process.

Signature of authorized city official (not required to be notarized)

Date signed

Printed name of authorized city official

Title

RESOLUTION NO. 15-25

A RESOLUTION PROCLAIMING CERTAIN PROPERTY ANNEXED TO THE CITY OF SCAPPOOSE

WHEREAS, Measure No. 5-247, proposing to annex certain property to the City of Scappoose (“City”), was submitted to voters in the City at the November 3, 2015 special election; and

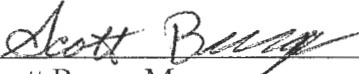
WHEREAS, according to the abstract provided by the Columbia County Elections Officer and attached hereto as Exhibit A, the measure was approved by a majority of City voters; and

WHEREAS, as required by ORS 222.170(3), legal description of the property is attached hereto as Exhibit B and incorporated herein by reference;

NOW, THEREFORE, the City Council of the City of Scappoose proclaims as follows:


The properties approved for annexation by the City’s voters on November 3, 2015, and described in Exhibit B to this Resolution, are hereby annexed to the City and will be automatically zoned [ZONING DESIGNATION].

PASSED AND ADOPTED by the City Council and signed by me, and the City Recorder in authentication of its passage this 7th day of December, 2015.



Scott Burge, Mayor

ATTEST:



Susan M. Reeves, MMC, City Recorder

ection Canvass

W DATE:11/18/15 10:36 AM

Columbia County, Oregon
Special Election
November 3, 2015

Certified Final Results

REPORT-EL52 PAGE 0002

247 Annexation of Ind. Property

VOTE FOR 1

01 = Yes

02 = No

VOTES PERCENT

800 77.00
239 23.00

03 = OVER VOTES
04 = UNDER VOTES

VOTES PERCENT

0
5

01 02 03 04

031 31	140	54	0	3
032 32	141	51	0	0
033 33	311	67	0	1
034 34	208	67	0	1

Legal description of property to be annexed and zoned Light Industrial

Columbia County Assessor Map No. 3201-CO-00600, 3201-CO-03100, and 3201-CC-01700

Real property in the County of Columbia, State of Oregon, described as follows:

PARCEL 1: A PARCEL OF LAND LYING IN THE TIMOTHY LAMBERSON DONATION LAND CLAIM OF SECTIONS 1 AND 2, TOWNSHIP 3 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON AND BEING SPECIFICALLY ALL THE FOLLOWING DESCRIBED PROPERTY: THE SAID PARCEL BEING DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WESTERLY LINE OF THE TIMOTHY LAMBERSON DONATION LAND CLAIM, SAID POINT BEING THE INTERSECTION OF THE CENTER OF SCAPPOOSE CREEK AND SAID WESTERLY LINE OF SAID TIMOTHY LAMBERSON DONATION LAND CLAIM, SAID POINT ALSO BEING SOUTH 20°01' WEST 674.10 FEET FROM THE NORTHWEST CORNER OF SAID TIMOTHY LAMBERSON DONATION LAND CLAIM IN SECTION 2, TOWNSHIP 1 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON; THENCE ALONG THE CENTER OF SAID SCAPPOOSE CREEK AS FOLLOWS: SOUTH 27°25' EAST A DISTANCE OF 148.36 FEET; THENCE NORTH 46°11' EAST A DISTANCE OF 222.10 FEET; THENCE SOUTH 59°16' EAST A DISTANCE OF 364.70 FEET; THENCE NORTH 75°18' EAST A DISTANCE OF 135.60 FEET; THENCE SOUTH 33°25' EAST A DISTANCE OF 344.0 FEET; THENCE SOUTH 9°35' WEST A DISTANCE OF 232.90 FEET; THENCE SOUTH 81°21' EAST A DISTANCE OF 131.20 FEET; THENCE NORTH 84°27' EAST A DISTANCE OF 184.35 FEET; THENCE SOUTH 84°13' EAST A DISTANCE OF 241.12 FEET TO THE WEST LINE OF THAT TRACT OF LAND CONVEYED BY THE UNITED STATES NATIONAL BANK OF PORTLAND TO JASPER E. YOUNG BY DEED RECORDED IN BOOK 45, PAGE 287, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE SOUTH ALONG THE WEST LINE OF SAID JASPER E. YOUNG TRACT AND CONTINUATION THEREOF TO THE NORTHEASTERLY RIGHT OF WAY LINE OF THE PORTLAND & SOUTHWESTERN RAILROAD; THENCE WESTERLY FOLLOWING SAID NORTHEASTERLY RAILROAD RIGHT OF WAY TO THE WESTERLY LINE OF SAID TIMOTHY LAMBERSON DONATION LAND CLAIM; THENCE NORTH 20°01' EAST ALONG SAID WESTERLY LINE OF SAID TIMOTHY LAMBERSON DONATION LAND CLAIM A DISTANCE OF 112.38 FEET TO THE POINT OF BEGINNING. EXCEPTING THEREFROM THAT TRACT CONVEYED TO WALTER FRISCHMAN ET UX BY DEED RECORDED OCTOBER 9, 1950 IN BOOK 108, PAGE 473, DEED RECORDS OF COLUMBIA COUNTY, OREGON; AND ALSO EXCEPTING TRACT CONVEYED TO ROBERT H. DUDLEY ET UX BY DEED RECORDED MARCH 26, 1962 IN BOOK 148, PAGE 500, DEED RECORDS OF COLUMBIA COUNTY, OREGON.

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PARCEL 3: A PARCEL Of LAND LYING IN THE TIMOTHY LAMBERSON DONATION LAND CLAIM IN SEC'IONS 1 AND 2, TOWNSHIP 3 NORTH, RANGE 2 west, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON, AND BEING SPECIFICALLY All THE FOLLOWING DESCRIBED PROPERTY: THE SAID PARCEL BEING DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WESTERLY LINE Of THE TIMOTHY LAMBERSON DONATION LAND CLAIM, SAID POINT BEING THE INTERSECTION Of THE CENTER Of SCAPPOOSE CREEK AND SAID WESTERLY LINE Of SAID TIMOTHY LAMBERSON DONATION LAND CLAIM, SAID POINT ALSO BEING SOUTH 20°01' WEST 674.01 FEET FROM THE NORTHWEST CORNER Of SAID TIMOTHY LAMBERSON DONATION LAND CLAIM IN SEC'ION 2, TOWNSHIP 3 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON; THENCE ALONG THE CENTER Of SAID SCAPPOOSE CREEK AS FOLLOWS: SOUTH 27°25' EAST A DISTANCE Of 148.36 FEET; THENCE NORTH 46°11' EAST A DISTANCE Of 222.10 FEET; THENCE SOUTH 59°16' EAST A DISTANCE Of 364.70 FEET; THENCE NORTH 75°18' EAST A DISTANCE Of 135 .. 60 FEET; THENCE SOUTH 33°25' EAST A DISTANCE Of 344.0 FEET; THENCE SOUTH 9°35' WEST A DISTANCE Of 232.90 FEET; THENCE 81°21' EAST A DISTANCE Of 131.20 FEET; THENCE NORTH 84°27' EAST A DISTANCE Of 184.35 FEET; THENCE SOUTH 84°13' EAST A DISTANCE Of 241.12 FEET TO THE WEST UNE Of THAT TRACT Of LAND CONVEYED BY UNITED STATES NATIONAL BANK Of PORTLAND TO JASPER E. YOUNG BY DEED RECORDED IN BOOK 45, PAGE 287; DEED RECORDS Of COLUMBIA COUNTY, OREGON; THENCE SOUTH ALONG THE WEST UNE Of SAID JASPER E. YOUNG TRACT A DISTANCE Of 30.15 FEET; THENCE SOUTH 67°43' EAST ALONG THE SOUTHERLY UNE Of SAID JASPER E. YOUNG TRACT A DISTANCE Of 410.42 FEET TO THE TRUE POINT Of BEGINNING; THENCE SOUTH 85°44' EAST ALONG THE SOUTH UNE Of SAID JASPER E. YOUNG TRACT A DISTANCE Of 1315.98 FEET TO THE WESTERLY RIGHT Of WAY LINE Of THE COLUMBIA RIVER HIGHWAY; THENCE SOUTH 3°40'30" EAST ALONG SAID WESTERLY RIGHT Of WAY UNE Of SAID COLUMBIA RIVER HIGHWAY A DISTANCE Of 670.60 FEET, SAID POINT BEING 40.00 FEET DISTANT WHEN MEASURED AT RIGHT ANGLES, FROM HIGHWAY ENGINEER'S CENTERUNE STATION 964+30; THENCE NORTH 82°53' WEST TO A POINT THAT IS DUE SOUTH Of THE POINT Of BEGINNING; THENCE NORTH TO THE TRUE POINT Of BEGINNING, EXCEPTING THEREFROM A TRACT CONVEYED TO HOMER A. GRISWOLD ET UX BY DEED RECORDED SEPTEMBER 6, 1950 IN BOOK 108, PAGE 254, DEED RECORDS Of COLUMBIA COUNTY, OREGON.

PARCEL 4: A PARCEL Of LAND IN SECTION 1, TOWNSHIP 3 NORTH, RANGE 2 WEST Of THE WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS SOUTH 1393.8 FEET AND EAST 3827.8 FEET FROM THE SOUTHWEST CORNER Of THE TIMOTHY LAMBERSON DONATION LAND CLAIM, COLUMBIA COUNTY, OREGON; THENCE NORTH 3° 40 1/2' WEST 1505.30 FEET TO THE SOUTHEAST CORNER Of TRACT EXCEPTED IN DEED AS DESCRIBED IN DEED TO ALBERT BRAWAND, RECORDED DECEMBER 12, 1967 IN BOOK 167, PAGE 556, DEED RECORDS Of COLUMBIA COUNTY, OREGON; THENCE NORTH 80°41' WEST A DISTANCE Of 363.36 FEET TO A POINT THAT IS NORTH 11°45' EAST FROM THE NORTHEAST CORNER Of TRACT DESCRIBED IN DEED TO ALBERT BRAWAND RECORDED DECEMBER 11, 1968 IN BOOK 171, PAGE 902, DEED RECORDS Of COLUMBIA COUNTY, OREGON, AND THE TRUE POINT Of BEGINNING Of THE FOLLOWING DESCRIBED TRACT; THENCE SOUTH 11°45' WEST TO THE NORTHEAST CORNER Of SAID BRAWAND TRACT AS DESCRIBED IN SAID DEED BOOK 171, PAGE 902; THENCE NORTH 82°53' WEST A DISTANCE Of 28.8 FEET TO A POINT; THENCE NORTH 83°15' WEST A DISTANCE Of 277.85 FEET TO A POINT, SAID POINT BEING ON THE WEST LINE Of THE HOMER A. GRISWOLD ET UX TRACT AS DESCRIBED IN DEED RECORDED SEPTEMBER 6, 1950 IN BOOK 108, PAGE 254, DEED RECORDS Of COLUMBIA COUNTY, OREGON; THENCE NORTH

30 35' WEST ALONG THE WEST LINE OF SAID GRISWOLD TRACT A DISTANCE OF 166.1 FEET TO THE SOUTHWEST CORNER OF THE ROY E. BAKER ET AL TRACT AS DESCRIBED IN DEED RECORDED MAY 15, 1974 IN BOOK 196, PAGE 231, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE SOUTH 58°37' EAST ALONG THE SOUTH LINE OF SAID BAKER ET AL TRACT A DISTANCE OF 338.57 FEET TO THE MOST SOUTHERLY SOUTHEAST CORNER OF SAID BAKER ET AL TRACT; THENCE NORTH 7°05' EAST ALONG THE EAST LINE OF SAID BAKER ET AL TRACT, A DISTANCE OF 11.1 FEET TO THE SOUTHWEST CORNER OF THE RIESTERER LUMBER PRODUCTS TRACT AS DESCRIBED IN INSTRUMENT RECORDED OCTOBER 10, 1966 IN BOOK 163, PAGE 106, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE SOUTH 80° 41' EAST ALONG THE SOUTH LINE OF SAID RIESTERER LUMBER PRODUCTS TRACT TO THE TRUE POINT OF BEGINNING.

PARCELS: A TRACT IN SECTION 1, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE COLUMBIA RIVER HIGHWAY, WHERE SAID WESTERLY RIGHT OF WAY LINE INTERSECTS THE NORTHERLY RIGHT OF WAY LINE OF THE PORTLAND & SOUTHWESTERN RAILROAD, SAID POINT BEING 40.0 FEET DISTANT (WHEN MEASURED AT RIGHT ANGLES) FROM HIGHWAY ENGINEERS CENTERLINE STATION 979+15.7; SAID POINT ALSO BEING SOUTH 1393.8 FEET AND EAST 3821.1 FEET FROM THE SOUTHWEST CORNER OF THE TIMOTHY LAMBERSON DONATION LAND CLAIM; THENCE NORTH 3°40'30" WEST PARALLEL TO AND 40.0 FEET DISTANT (WHEN MEASURED AT RIGHT ANGLES) FROM THE CENTERLINE OF THE COLUMBIA RIVER HIGHWAY A DISTANCE OF 1485.7 FEET AND NORTH 82°53' WEST 433.22 FEET TO THE TRUE POINT OF BEGINNING FOR THE FOLLOWING DESCRIBED PROPERTY; THENCE SOUTH 17°23' WEST A DISTANCE OF 840.74 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SAID PORTLAND & SOUTHWESTERN RAILROAD; THENCE NORTH 37°07' WEST ALONG SAID RAILROAD RIGHT OF WAY LINE A DISTANCE OF 821.22 FEET; THENCE ALONG SAID RAILROAD RIGHT OF WAY LINE ON A 2889.19 FOOT RADIUS CURVE LEFT, THE LONG CHORD OF WHICH BEARS NORTH 40°18' WEST A DISTANCE OF 352.33 FEET; THENCE SOUTH 82°53' EAST A DISTANCE OF 982.16 FEET TO THE POINT OF BEGINNING. EXCEPTING THEREFROM TRACT DESCRIBED IN INSTRUMENT RECORDED SEPTEMBER 24, 1971 IN BOOK 183, PAGE 697, DEED RECORDS OF COLUMBIA COUNTY, OREGON. ALSO EXCEPTING THEREFROM TRACTS DESCRIBED IN DEEDS TO THEODORE F. OMS ET UX, RECORDED OCTOBER 5, 1971 IN BOOK 183, PAGE 874, ANJ) RECORDED OCTOBER 6, 1911 IN BOOK 183, PAGE 892, DEED RECORDS OF COLUMBIA COUNTY, OREGON.

PARCEL 6: A 30 FOOT RIGHT OF WAY EASEMENT AS RESERVED IN CONTRACT RECORDED IN BOOK 183, PAGE 691, DEED RECORDS OF COLUMBIA COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS SOUTH 1393.8 FEET AND EAST 3827.8 FEET FROM SOUTHWEST CORNER OF THE TIMOTHY LAMBERSON DONATION LAND CLAIM IN SECTION 1, TOWNSHIP 3 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON; THENCE NORTH 3° 40 1/2' WEST 1505.30 FEET TO THE SOUTHEAST CORNER OF TRACT EXCEPTED IN DEED AS DESCRIBED IN DEED TO ALBERT BRAWAND RECORDED DECEMBER 12, 1967 IN BOOK 167, PAGE 556, DEED RECORDS OF COLUMBIA COUNTY, OREGON, AND THE TRUE POINT OF BEGINNING; THENCE NORTH 80° 41' WEST A DISTANCE OF 363.36 FEET TO A POINT THAT IS NORTH 11° 45' EAST FROM THE NORTHEAST CORNER OF TRACT DESCRIBED IN DEED TO ALBERT BRAWAND RECORDED DECEMBER 17, 1968 IN BOOK 171, PAGE 902, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE SOUTH 11° 45' WEST TO THE NORTHEAST CORNER OF SAID BRAWAND TRACT AS DESCRIBED IN DEED IN BOOK 171, PAGE 902, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE NORTH 82° 53' WEST A DISTANCE OF 28.8 FEET TO A POINT; THENCE NORTH 83° 15' WEST A DISTANCE OF 277.85 FEET TO A POINT; THENCE SOUTH 0° 17' WEST TO A POINT WHICH IS 50.0 FEET, WHEN MEASURED AT RIGHT ANGLES, FROM THE PROLONGATION NORTH 80° 41' WEST OF THE SOUTH LINE OF SAID TRACT EXCEPTED AS DESCRIBED IN DEED IN BOOK 167, PAGE 556, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE SOUTH 80° 41' EAST TO A POINT WHICH BEARS SOUTH 3° 40 1/2' EAST OF THE TRUE POINT OF BEGINNING; THENCE NORTH 3° 40 1/2' WEST TO THE TRUE POINT OF BEGINNING; EXCEPTING THEREFROM THAT PORTION LYING WITHIN THE COLUMBIA RIVER HIGHWAY.



SCAPPOOSE
Oregon

DEPT OF

DEC 11 2015

**LAND CONSERVATION
AND DEVELOPMENT**

December 8, 2015

Re: Annexations into the City of Scappoose

On the November 3, 2015 ballot there was one application for annexation that was passed by the citizens of Scappoose.

As per Oregon Revised Statutes I am sending you the following:

Resolution proclaiming the annexation

The Legal Description

The voting Abstract

Copy of the application to annex, from the landowner (also included staff report)

A copy of the Ordinance approving the annexation, which the Council adopted before the election.

This property will be automatically zoned Light Industrial (LI).

If you have any questions, please do not hesitate to contact me at 503-543-7146, ext 224.

Sincerely,

Susan M. Reeves, MMC
City Recorder

City of Scappoose
Council Action & Status Report

Date Submitted: 7/16/15

Agenda Date Requested: 7/20/15

To: Scappoose City Council

Through: Planning Commission

From: Laurie Oliver
Associate City Planner

Subject: Request by Scappoose Holding to annex 22.4 acres on Scappoose-Vernonia Road at Bellcrest Road.

Type of Action Requested:

<input type="checkbox"/>	<input type="checkbox"/>	Resolution	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Ordinance
<input type="checkbox"/>	<input type="checkbox"/>	Formal Action	<input type="checkbox"/>	<input type="checkbox"/>	Report Only

Issue: Scappoose Holding has requested annexation and an automatic zone change to Light Industrial (LI) for approximately 22.4 acres. The Planning Commission recommends approval of the annexation. An ordinance to annex the property and zone it LI is attached for adoption.

Analysis:

Scappoose Holding has submitted an application (Docket # ANX1-15/ZC2-15) to annex 22.4 acres located northeast of the Scappoose-Vernonia Road and Bellcrest Road intersection. According to Section 17.136.070 of the Scappoose Development Code, because the parcel has an Industrial (I) Comprehensive Plan designation, upon annexation the land shall automatically be zoned Light Industrial (LI).

The Planning Commission held a public hearing regarding this request on July 9, 2015. The Commission voted to forward a recommendation of approval to the City Council. An ordinance to approve the annexation and zone change is attached for the Council's review. Approval of the ordinance would refer the annexation to the electorate for their consideration.

Options:

1. Approve the annexation application, adopt the findings in ANX1-15/ZC2-15 staff report dated June 29, 2015, and adopt the proposed ordinance, thereby placing the annexation on the November 2015 ballot.
2. Adopt findings demonstrating that the application does not comply with the Scappoose Municipal Code and deny the application.

Recommendation: Staff recommends that the Council approve the annexation application and adopt the Ordinance as presented.

Suggested Motions:

1. I move that the Council approve the annexation application and adopt the findings in the ANX1-15/ZC2-15 staff report dated June 29, 2015.

(if the first motion passes, make the second motion below)

2. I move that the Council adopt Ordinance No. 842 as presented.

ORDINANCE NO. 842

AN ORDINANCE APPROVING ANNEXATION OF PROPERTY TO THE CITY OF SCAPPOOSE, AMENDING THE ZONING MAP, AND CALLING AN ELECTION

WHEREAS, an application was filed by Scappoose Holding, LLC. to annex property described in Exhibit A, attached hereto and incorporated herein, to the City of Scappoose; and

WHEREAS, pursuant to Section 17.136.070 of the Scappoose Municipal Code, the property described in Exhibit A would automatically be zoned Light Industrial (LI) upon annexation due to the property's "Industrial" Comprehensive Plan designation; and

WHEREAS, hearings were held pursuant to Scappoose Municipal Code Chapters 17.22 and 17.136; and

WHEREAS, pursuant to Section 17.136.030 of the Scappoose Municipal Code, annexations must be referred to the voters of the City for approval; now therefore,

THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

Section 1. The application to annex the property described in Exhibit A is hereby approved, subject to approval by the voters of the City. Pursuant to ORS 222.160, the Exhibit A property will be declared by Resolution to be annexed to the City of Scappoose if the Columbia County Elections Officer certifies that the majority of voters in the City approve the measure.

Section 2. Pursuant to Scappoose Municipal Code Chapter 17.136, annexation of the Exhibit A property will be submitted to Columbia County to be placed on the November 3, 2015 ballot. The ballot title for such measure is herein adopted; and attached hereto as Exhibit B.

Section 3. In support of the above annexation, the City Council hereby adopts the findings, conclusions and recommendations of the Staff Report dated June 29, 2015, attached as Exhibit C.

Section 4. The annexation approved by this Ordinance shall take effect upon the date of certification of the election approving the annexation measure.

Section 5. Upon certification of the election on annexation, the City Planner is directed to conform the City Zoning Map to the provisions of this ordinance.

PASSED AND ADOPTED by the City Council this ____ day of _____, 2015, and signed by the Mayor and City Recorder in authentication of its passage.

CITY OF SCAPPOOSE, OREGON

Scott Burge, Mayor

First Reading:
Second Reading:
Attest:

Susan M. Reeves, MMC, City Recorder

Exhibit A
Legal description of property to be annexed and zoned Light Industrial

Columbia County Assessor Map No. 3201-CO-00600, 3201-CO-03100, and 3201-CC-01700

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SOUTH 67°43' EAST ALONG THE SOUTHERLY UNE Of SAID JASPER E. YOUNG TRACT A DISTANCE Of 410.42 FEET; THENCE SOUTH TO THE NORTH LINE Of PARCEL 2 CONVEYED TO ALBERT BRAWAND BY DEED RECORDED MAY 3, 1956 IN BOOK 128, PAGE 484, DEED RECORDS Of COLUMBIA COUNTY, OREGON; THENCE NORTH 82°53' WEST A LONG THE NORTH UNE Of SAID BRAWAND TRACT TO THE NORTHEASTERLY RIGHT Of WAY UNE Of THE PORTLAND AND SOUTHWESTERN RAILROAD; THENCE WESTERLY ALONG THE SAID NORTHEASTERLY RAILROAD RIGHT Of WAY TO A POINT THAT IS DUE SOUTH OF THE TRUE POINT OF BEGINNING; THENCE NORTH TO THE TRUE POINT Of BEGINNING.

PARCEL 3: A PARCEL Of LAND LYING IN THE TIMOTHY LAMBERSON DONATION LAND CLAIM IN SECⁿIONS 1 AND 2, TOWNSHIP 3 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON, AND BEING SPECIFICALLY All THE FOLLOWING DESCRIBED PROPERTY: THE SAID PARCEL BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE Of THE TIMOTHY LAMBERSON DONATION LAND CLAIM, SAID POINT BEING THE INTERSECTION Of THE CENTER Of SCAPPOOSE CREEK AND SAID WESTERLY LINE Of SAID TIMOTHY LAMBERSON DONATION LAND CLAIM, SAID POINT ALSO BEING SOUTH 20°01' WEST 674.01 FEET FROM THE NORTHWEST CORNER Of SAID TIMOTHY LAMBERSON DONATION LAND CLAIM IN SECⁿION 2, TOWNSHIP 3 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON; THENCE ALONG THE CENTER Of SAID SCAPPOOSE CREEK AS FOLLOWS: SOUTH 27°25' EAST A DISTANCE Of 148.36 FEET; THENCE NORTH 46°11' EAST A DISTANCE Of 222.10 FEET; THENCE SOUTH 59°16' EAST A DISTANCE Of 364.70 FEET; THENCE NORTH 75°18' EAST A DISTANCE Of 135.60 FEET; THENCE SOUTH 33°25' EAST A DISTANCE Of 344.0 FEET; THENCE SOUTH 9°35' WEST A DISTANCE Of 232.90 FEET; THENCE 81°21' EAST A DISTANCE Of 131.20 FEET; THENCE NORTH 84°27' EAST A DISTANCE Of 184.35 FEET; THENCE SOUTH 84°13' EAST A DISTANCE Of 241.12 FEET TO THE WEST UNE Of THAT TRACT Of LAND CONVEYED BY UNITED STATES NATIONAL BANK Of PORTLAND TO JASPER E. YOUNG BY DEED RECORDED IN BOOK 45, PAGE 287, DEED RECORDS Of COLUMBIA COUNTY, OREGON; THENCE SOUTH ALONG THE WEST UNE Of SAID JASPER E. YOUNG TRACT A DISTANCE Of 30.15 FEET; THENCE SOUTH 67°43' EAST ALONG THE SOUTHERLY UNE Of SAID JASPER E. YOUNG TRACT A DISTANCE Of 410.42 FEET TO THE TRUE POINT Of BEGINNING; THENCE SOUTH 85°44' EAST ALONG THE SOUTH UNE Of SAID JASPER E. YOUNG TRACT A DISTANCE Of 1315.98 FEET TO THE WESTERLY RIGHT Of WAY LINE Of THE COLUMBIA RIVER HIGHWAY; THENCE SOUTH 3°40'30" EAST ALONG SAID WESTERLY RIGHT Of WAY UNE Of SAID COLUMBIA RIVER HIGHWAY A DISTANCE Of 670.60 FEET, SAID POINT BEING 40.00 FEET DISTANT WHEN MEASURED AT RIGHT ANGLES, FROM HIGHWAY ENGINEER'S CENTERLINE STATION 964+30; THENCE NORTH 82°53' WEST TO A POINT THAT IS DUE SOUTH OF THE POINT Of BEGINNING; THENCE NORTH TO THE TRUE POINT Of BEGINNING. EXCEPTING THEREFROM A TRACT CONVEYED TO HOMER A. GRISWOLD ET UX BY DEED RECORDED SEPTEMBER 6, 1950 IN BOOK 108, PAGE 254, DEED RECORDS Of COLUMBIA COUNTY, OREGON.

PARCEL 4: A PARCEL Of LAND IN SECTION 1, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS SOUTH 1393.8 FEET AND EAST 3827.8 FEET FROM THE SOUTHWEST CORNER Of THE TIMOTHY LAMBERSON DONATION LAND CLAIM, COLUMBIA COUNTY, OREGON; THENCE NORTH 3° 40 1/2' WEST 1505.30 FEET TO THE SOUTHEAST CORNER Of TRACT EXCEPTED IN DEED AS DESCRIBED IN DEED TO ALBERT BRAWAND, RECORDED DECEMBER 12, 1967 IN BOOK 167, PAGE 556, DEED RECORDS Of COLUMBIA COUNTY, OREGON; THENCE NORTH 80°41' WEST A DISTANCE Of 363.36 FEET TO A POINT THAT IS NORTH 11°45' EAST FROM THE NORTHEAST CORNER Of TRACT DESCRIBED IN DEED TO ALBERT BRAWAND RECORDED DECEMBER 11, 1968 IN BOOK 171, PAGE 902, DEED RECORDS Of COLUMBIA COUNTY, OREGON, AND THE TRUE POINT Of BEGINNING Of THE FOLLOWING DESCRIBED TRACT; THENCE SOUTH 11°45' WEST TO THE NORTHEAST CORNER Of SAID BRAWAND TRACT AS DESCRIBED IN SAID DEED BOOK 171, PAGE 902; THENCE NORTH 82°53' WEST A DISTANCE Of 28.8 FEET TO A POINT; THENCE NORTH 83°15' WEST A DISTANCE Of 277.85 FEET TO A POINT, SAID POINT BEING ON THE WEST LINE Of THE HOMER A. GRISWOLD ET UX TRACT AS DESCRIBED IN DEED RECORDED SEPTEMBER 6, 1950 IN BOOK 108, PAGE 254, DEED RECORDS Of COLUMBIA COUNTY, OREGON; THENCE NORTH

30 35' WEST ALONG THE WEST LINE OF SAID GRISWOLD TRACT A DISTANCE OF 166.1 FEET TO THE SOUTHWEST CORNER OF THE ROY E. BAKER ET AL TRACT AS DESCRIBED IN DEED RECORDED MAY 15, 1974 IN BOOK 196, PAGE 231, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE SOUTH 58°37' EAST ALONG THE SOUTH LINE OF SAID BAKER ET AL TRACT A DISTANCE OF 338.57 FEET TO THE MOST SOUTHERLY SOUTHEAST CORNER OF SAID BAKER ET AL TRACT; THENCE NORTH 7°05' EAST ALONG THE EAST LINE OF SAID BAKER ET AL TRACT, A DISTANCE OF 11.1 FEET TO THE SOUTHWEST CORNER OF THE RIESTERER LUMBER PRODUCTS TRACT AS DESCRIBED IN INSTRUMENT RECORDED OCTOBER 10, 1966 IN BOOK 163, PAGE 106, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE SOUTH 80° 41' EAST ALONG THE SOUTH LINE OF SAID RIESTERER LUMBER PRODUCTS TRACT TO THE TRUE POINT OF BEGINNING.

PARCELS: A TRACT IN SECTION 1, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE COLUMBIA RIVER HIGHWAY, WHERE SAID WESTERLY RIGHT OF WAY LINE INTERSECTS THE NORTHERLY RIGHT OF WAY LINE OF THE PORTLAND & SOUTHWESTERN RAILROAD, SAID POINT BEING 40.0 FEET DISTANT (WHEN MEASURED AT RIGHT ANGLES) FROM HIGHWAY ENGINEERS CENTERLINE STATION 979+15.7; SAID POINT ALSO BEING SOUTH 1393.8 FEET AND EAST 3821.1 FEET FROM THE SOUTHWEST CORNER OF THE TIMOTHY LAMBERSON DONATION LAND CLAIM; THENCE NORTH 3°40'30" WEST PARALLEL TO AND 40.0 FEET DISTANT (WHEN MEASURED AT RIGHT ANGLES) FROM THE CENTERLINE OF THE COLUMBIA RIVER HIGHWAY A DISTANCE OF 1485.7 FEET AND NORTH 82°53' WEST 433.22 FEET TO THE TRUE POINT OF BEGINNING FOR THE FOLLOWING DESCRIBED PROPERTY; THENCE SOUTH 17°23' WEST A DISTANCE OF 840.74 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SAID PORTLAND & SOUTHWESTERN RAILROAD; THENCE NORTH 37°07' WEST ALONG SAID RAILROAD RIGHT OF WAY LINE A DISTANCE OF 821.22 FEET; THENCE ALONG SAID RAILROAD RIGHT OF WAY LINE ON A 2889.19 FOOT RADIUS CURVE LEFT, THE LONG CHORD OF WHICH BEARS NORTH 40°18' WEST A DISTANCE OF 352.33 FEET; THENCE SOUTH 82°53' EAST A DISTANCE OF 982.16 FEET TO THE POINT OF BEGINNING. EXCEPTING THEREFROM TRACT DESCRIBED IN INSTRUMENT RECORDED SEPTEMBER 24, 1971 IN BOOK 183, PAGE 697, DEED RECORDS OF COLUMBIA COUNTY, OREGON. ALSO EXCEPTING THEREFROM TRACTS DESCRIBED IN DEEDS TO THEODORE F. OMS ET AL, RECORDED OCTOBER 5, 1971 IN BOOK 183, PAGE 874, AND J. OMS ET AL, RECORDED OCTOBER 6, 1911 IN BOOK 183, PAGE 892, DEED RECORDS OF COLUMBIA COUNTY, OREGON.

PARCEL 6: A 50 FOOT RIGHT OF WAY EASEMENT AS RESERVED IN CONTRACT RECORDED IN BOOK 183, PAGE 697, DEED RECORDS OF COLUMBIA COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS SOUTH 1393.8 FEET AND EAST 3827.8 FEET FROM SOUTHWEST CORNER OF THE TIMOTHY LAMBERSON DONATION LAND CLAIM IN SECTION 1, TOWNSHIP 3 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON; THENCE NORTH 3° 40 1/2' WEST 1505.30 FEET TO THE SOUTHEAST CORNER OF TRACT EXCEPTED IN DEED AS DESCRIBED IN DEED TO ALBERT BRAWAND RECORDED DECEMBER 12, 1967 IN BOOK 167, PAGE 556, DEED RECORDS OF COLUMBIA COUNTY, OREGON, AND THE TRUE POINT OF BEGINNING; THENCE NORTH 80° 41' WEST A DISTANCE OF 363.36 FEET TO A POINT THAT IS NORTH 11° 45' EAST FROM THE NORTHEAST CORNER OF TRACT DESCRIBED IN DEED TO ALBERT BRAWAND RECORDED DECEMBER 17, 1968 IN BOOK 171, PAGE 902, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE SOUTH 11° 45' WEST TO THE NORTHEAST CORNER OF SAID BRAWAND TRACT AS DESCRIBED IN DEED IN BOOK 171, PAGE 902, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE NORTH 82° 53' WEST A DISTANCE OF 28.8 FEET TO A POINT; THENCE NORTH 83° 15' WEST A DISTANCE OF 277.85 FEET TO A POINT; THENCE SOUTH 0° 17' WEST TO A POINT WHICH IS 50.0 FEET, WHEN MEASURED AT RIGHT ANGLES, FROM THE PROLONGATION NORTH 80° 41' WEST OF THE SOUTH LINE OF SAID TRACT EXCEPTED AS DESCRIBED IN DEED IN BOOK 167, PAGE 556, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE SOUTH 80° 41' EAST TO A POINT WHICH BEARS SOUTH 3° 40 1/2' EAST OF THE TRUE POINT OF BEGINNING; THENCE NORTH 3° 40 1/2' WEST TO THE TRUE POINT OF BEGINNING; EXCEPTING THEREFROM THAT PORTION LYING WITHIN THE COLUMBIA RIVER HIGHWAY.

**Exhibit B
Ballot Title**

NOTICE OF CITY MEASURE ELECTION

City of Scappoose
(Name of City)

Notice is hereby given on August 3, 2015 that a measure election will be held in Columbia County, Oregon on November 3, 2015,
(Name of county) (Date of election)

The following shall be the ballot title of the measure to be submitted to the county's voters on this date: November 3, 2015.

CAPTION (10 Words)

ANNEXATION OF INDUSTRIAL PROPERTY TO THE CITY OF SCAPPOOSE

QUESTION (20 Words)

Shall the described property be annexed to the City of Scappoose?

SUMMARY (175 Words)

Scappoose Holding, LLC has requested that the City annex approximately 22.4 acres of property to the City of Scappoose. The property is located northeast of the Scappoose-Vernonia Road and Bellcrest Road intersection, and is described as Columbia County Assessor Map No. 3201-CO-00600, 3201-CO-03100, and 3201-CC-01700. The property is located in the Scappoose Urban Growth Boundary and is contiguous to Scappoose City limits. Upon annexation, the property would be zoned Light Industrial (LI). The Scappoose Planning Commission and City Council have approved this annexation proposal.

The following authorized city official hereby certifies the above ballot title is true and complete, which includes completion of the ballot title challenge process.

Signature of authorized city official (not required to be notarized)

Date signed

Printed name of authorized city official

Title

ANX1-15/ZC2-15

June 29, 2015

"Scappoose Industrial Parcel" Annexation and Zone Change

CITY OF SCAPPOOSE STAFF REPORT

Request: Approval of an application for annexation and a corresponding zone change to Light Industrial (LI) for approximately 22.4 acres.

Location: The subject parcel is located northeast of the Scappoose-Vernonia Road and Bellcrest Road intersection. The property consists of three parcels of land lying within the Scappoose Urban Growth Boundary. The site is described as Columbia County Assessor Map No. 3201-CO-00600, 3201-CO-03100, and 3201-CC-01700. See attached Vicinity Map (**Exhibit 1**).

Applicant: Scappoose Holding, LLC

Owner(s): Scappoose Holding, LLC

EXHIBITS

- 1. Vicinity Map
- 2. Zoning Map
- 3. Application and Narrative
- 4. Conceptual Development Plan
- 5. FIRM Map
- 6. Scappoose Riparian Inventory Map
- 7. Scappoose Local Wetlands Inventory
- 8. Columbia County Road Department Comments, email dated June 9, 2015
- 9. ODOT Comments, email dated June 19, 2015

*“Scappoose Industrial Parcel” Annexation and Zone Change***SUBJECT SITE**

- As noted above, the land proposed for annexation is within the City’s Urban Growth Boundary (UGB), and is described with three separate tax account numbers in the Columbia County Assessor records. The site is zoned M-2, Light Industrial, by Columbia County (**Exhibit 2**)
- The subject site is designated as Industrial (I) on the Comprehensive Plan map. The western boundary of the site is Scappoose-Vernonia Hwy, a County road. To the west, beyond Scappoose-Vernonia Hwy, is land zoned Rural Residential (RR-5) by Columbia County and is outside of the UGB. To the east of the site is County land zoned (M-2) Light Industrial, and is within the UGB. North of the site is land zoned both County land (M-2) Light Industrial and PA-80, Primary Agriculture. To the south of the site is land within City limits (known as the Cinnamon Tree property) that is zoned Light Industrial (LI).
- The site is vacant and generally flat, and contains limited areas of vegetation which border the creek to the north.
- The site is within the boundaries of the Scappoose Rural Fire Protection District and the Scappoose Public School District. The site is currently under the police protection of the Columbia County Sheriff’s Department.
- According to the Flood Insurance Rate Map (FIRM) 41009C0444D, a portion of the property is located within the Floodway (approximately 2.98 acres), a portion lies within the Fish and Riparian Corridor (approximately 3.34 acres), and a portion lies within the 100-year Floodplain (Zone AO – approximately 12.83 acres) (**Exhibit 5**). According to the Scappoose Local Wetlands Inventory Map there is one wetland (SSC-1) within the property (**Exhibit 7**). While the property is encumbered by the floodplain according to current FIRM maps, there has been a large amount of fill placed on the site in previous years, and the applicant is working with FEMA to establish a new effective Base Flood Elevation (BFE) and will seek a Letter of Map Revision (LOMR) which could potentially take the subject property, or portions of it, out of the floodplain altogether.

OBSERVATIONS**CONCURRENT ANNEXATION AND ZONE CHANGE APPLICATIONS**

- The applicant has requested annexation of the property and a corresponding zone change to Light Industrial (LI). The site is currently zoned Light Industrial (M-2) by Columbia County and has an Industrial Designation (I) on the Scappoose Comprehensive Plan Map. According to Section 17.136.070 of the Scappoose Development Code, because the parcel has an Industrial (I) Comprehensive Plan designation, upon annexation the land shall automatically be zoned Light Industrial (LI).

*“Scappoose Industrial Parcel” Annexation and Zone Change*ANTICIPATED INDUSTRIAL USE

- The applicant has requested consideration for annexation in order to initiate the extension of urban services and to increase the City’s industrial land inventory. No development proposals have been submitted with this application. Future development proposals will be required to apply for Site Development Review to ensure compliance with the Scappoose Development Code and Public Works Design Standards. Development must be consistent with the requirements of Chapter 17.84, Sensitive Lands-Flooding, Chapter 17.85 Sensitive Lands-Wetlands, and Chapter 17.89 – Fish and Riparian Corridor Overlay of the Scappoose Development Code.

STREET SYSTEM AND TRANSPORTATION IMPACTS

- The site has frontage on Scappoose-Vernonia Road, a County road, though currently it does not have access to this road. The Columbia County Road Department has stated that at the time of development, in order to access Scappoose-Vernonia Road, the applicant would need to get a Columbia County Road Department Access Permit as well as an easement to cross Crown-Zellerbach Trail. Currently, the site has direct access to Highway 30 via an existing 50-foot wide access easement over an adjoining parcel located immediately to the east of the eastern property boundary.
- Traffic from the site is anticipated to access Highway 30 via the above noted access easement which adjoins Highway 30 adjacent to the Oregon Meat Company on Columbia River Highway. ODOT has stated in an email dated June 19, 2015, that the City’s 1997 Transportation System Plan accounted for industrial development in this area and took into account an assumed 5 employees per acre, which is consistent with realistic market conditions (**Exhibit 9**). While the TSP identified the need for improvements at the intersection of Highway 30 and Crown-Zellerbach Road, those improvements were completed in 2006.
- At the time of development, the subject site could be anticipated to require a traffic study in accordance with Section 5.0013 of the Scappoose Public Works Design Standards, which states that:

The City’s Engineer will require a traffic analysis report as determined by the type of development and its potential impact to existing street systems. A traffic analysis will generally be required for a development, 1) when it will generate 1,000 vehicle trips per weekday or more, or 2) when a development’s location, proposed site plan, and traffic characteristics could affect traffic safety, access management, street capacity, or known traffic problems or deficiencies in a development’s study area.

UTILITIES & STORM DRAINAGE

- City water, storm drainage and sanitary sewer service are not available to the site at this time. When the property is developed, the applicant would be required to provide infrastructure to serve the site, at the developers cost. City water and sanitary sewer service is available nearby via an 8” line on the south side of Scappoose-Vernonia Road and Manor Drive.

“Scappoose Industrial Parcel” Annexation and Zone Change

- The applicant would be responsible for managing stormwater at the time of development. The site is located near the South Fork of the Scappoose Creek and stormwater would need to be detained, treated and discharged into the creek per the 1997 Stormwater Master Plan and Public Works Design Standards. On-site filtration may be available, but it not likely due to the unclassified fill and nearby riparian and wetland areas. Any development proposals will have to meet the Public Works Design Standards.

PUBLIC & PRIVATE AGENCIES AND PUBLIC NOTICE

- The City of Scappoose City Manager, Engineering, Building, and Police Departments; Columbia County Road Department, Scappoose Rural Fire Protection District; the Scappoose School District; the Oregon Department of Transportation (Region 2); and the Oregon Department of Land Conservation and Development have been provided an opportunity to review the proposal. The City has received no objections to the application as received. Comments from these organizations have been incorporated into this staff report.
- Notice of this request was mailed to property owners located within 300 feet of the subject site on June 18, 2015. Notice was also posted on the property on June 1st, and published in the local newspaper on June 19th and June 26, 2015. Staff has not received any comments from the public as of June 30, 2015.

APPLICABILITY OF STATEWIDE PLANNING GOALS

A number of Oregon’s 19 Statewide Planning Goals and Guidelines apply to this application, as discussed in the *Findings of Fact*.

FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR APPROVAL

- 1. The following Statewide Planning Goals have been considered by the City of Scappoose as they pertain to this request:**

A. *Citizen Involvement (Goal 1)*

Objective: *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

*“Scappoose Industrial Parcel” Annexation and Zone Change***Finding:**

The City’s acknowledged Comprehensive Plan & Development Code includes citizen involvement procedures with which the review of this application will comply. This process allows for citizens to communicate their input into the zoning map amendment review conducted by the City at public hearings or by submitting written comments. The City of Scappoose Planning Commission will review and comment on the proposed annexation and zoning map amendment on July 9, 2015 to make a recommendation to the City Council. The City Council will hold a hearing on July 20, 2015. The Applicant is required to post site notices, the City mails notices to nearby property owners, and notice is published in the newspaper. This process complies with the Goal.

B. Land Use Planning (Goal 2)

Objective: *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.*

Finding:

The procedural requirements for annexation and zone changes are contained in the Scappoose Municipal Code, which involve assessment of the application’s merits, notice to affected parties, and public hearings. The proposal is to change the zoning designation of urban land within the Urban Growth Boundary, in compliance with Goal 2. Notice of the annexation and zoning map amendment has been provided by the City of Scappoose to the Oregon Department of Land Conservation and Development (DLCD) as required. The City’s decision is based on findings of fact.

C. Agricultural Lands (Goal 3)

Objective: *To preserve and maintain agricultural lands.*

Finding:

This Goal is not applicable because the site is within the City of Scappoose Urban Growth Boundary and no identified agricultural resources are located on the site. The site is designated for industrial development in the Comprehensive Plan and is currently zoned for industrial use by Columbia County.

“Scappoose Industrial Parcel” Annexation and Zone Change

D. Forest Lands (Goal 4)

Objective: *To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.*

Finding:

This Goal is not applicable because the site is within the City of Scappoose Urban Growth Boundary and no identified forest resources are located on site.

E. Open Spaces, Scenic and Historic Areas and Natural Resources (Goal 5)

Objective: *To protect natural resources and conserve scenic and historic areas and open spaces.*

Finding:

The subject site is not designated as open space, a scenic, or historic area area by the City of Scappoose and does not contain any known significant open space, scenic, or historic areas. The subject site does contain a series of floodways, floodplains, a wetland, and a fish and riparian corridor overlay, as shown on the City’s Riparian Inventory Map, Local Wetlands Inventory, and FIRM map (**Exhibits 5, 6, & 7**). Any proposed development on this site will be evaluated for compliance with the City’s Land Use and Development Codes prior to allowing development to occur. The City’s Land Use and Development Code has been implemented in order to limit impacts to natural resources and to provide protection for inventoried Goal 5 resources. Therefore, the proposed annexation and zone change do not conflict with this Goal.

F. Air, Water and Land Resources Quality (Goal 6)

Objective: *To maintain and improve the quality of the air, water and land resources of the state.*

*“Scappoose Industrial Parcel” Annexation and Zone Change***Finding:**

The site is currently planned for industrial use. If the annexation is approved, the site would be subject to City regulations that do not allow off-site impacts from noise, vibration, odors, glare, or other “nuisance” effects. The potential harmful effects on air, water and land resource quality is limited. The annexation and zone change proposal will therefore have no significant impact with respect to this Goal.

G. Areas Subject to Natural Disasters and Hazards (Goal 7)

Objective: *To protect people and property from natural hazards.*

Finding:

The subject site is not located within a potential landslide hazard, or earthquake hazard area. The subject site is within a mapped floodplain, however, and any proposed development on the site would be subject to Chapter 17.84, Sensitive Lands –Flooding. If annexed into the City, any proposal for development within the areas affected by the floodplain will be required to document compliance with the applicable City, State and Federal requirements for development within areas affected by the floodplain. The City implements local floodplain regulations and is therefore consistent with the avoidance of natural disasters and hazards under Goal 7.

H. Recreational Needs (Goal 8)

Objective: *To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

Finding:

The site is presently designated for industrial development on the Comprehensive Plan and has not been planned for recreational opportunities. The requested zone change to Light Industrial (LI) will therefore not result in a reduction in land planned or reserved for recreational use. Consequently, the proposed Annexation and Zone Change will have no significant impact on the City’s planning for recreational needs.

“Scappoose Industrial Parcel” Annexation and Zone Change

I. Economic Development (Goal 9)

Objective: *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

Finding:

The site is presently designated for industrial development on the Comprehensive Plan and is part of the City’s future industrial inventory. The City’s Light Industrial zone provides for a number of uses, which would provide opportunities to employ a local workforce and contribute to the local economy. The site’s location is ideal for access to significant infrastructure corridors and the proposed zoning of the site is suitable to encourage opportunities for economic activity.

The proposed annexation and zoning map amendment should result in development that contributes to the state and local economy. Therefore, the application is consistent with this Goal.

J. Housing (Goal 10)

Objective: *To provide for the housing needs of citizens of the state.*

Finding:

The property proposed for annexation is designated Industrial on the Comprehensive Plan map. The proposed annexation and zone change to Light Industrial (LI) would have no effect on the housing supply within City Limits. Goal 10 is not applicable to this request.

K. Public Facilities and Services (Goal 11)

Objective: *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

Finding:

The subject property lies within the Urban Growth Boundary (UGB) and therefore requires the extension of public facilities and services at the developer’s expense at such time that the

“Scappoose Industrial Parcel” Annexation and Zone Change

property is developed. City water and sanitary sewer service is available nearby via 8” lines on the south side of Scappoose-Vernonia Road and Manor Drive. Water, sanitary sewer, and storm sewer would be constructed as Conditions of Approval for future Site Development Review applications.

L. Transportation (Goal 12)

Objective: *To provide and encourage a safe, convenient and economic transportation system.*

Finding:

This Goal requires the City to prepare and implement a Transportation System Plan (TSP). The 1997 Scappoose TSP assumed that this site would be developed under the City’s Light Industrial (LI) and Industrial Comprehensive Plan and zoning designations. Subsection 9 of OAR 660-012-0060 allows local governments to create findings that support zoning map amendments that do not significantly affect existing or planned transportation facilities when the following three conditions are met: the proposed zoning is consistent with the existing Comprehensive Plan, the local government has an acknowledged Transportation System Plan, and when the area under consideration was not exempted from the rule during an Urban Growth Boundary Amendment. The three conditions described within the OAR are met in that the City: has an adopted TSP, the site was not specifically exempted from the rule during an Urban Growth Boundary Amendment, and because the proposed zoning is consistent with the existing Comprehensive Plan. ODOT staff has submitted comments (**Exhibit 8**) stating that the annexation is consistent with the transportation planning for Scappoose and that the TSP did account for industrial development in this area. The applicant may need to submit a traffic study with future development proposals to analyze individual intersections and streets based upon the intensity of the proposed uses. The requirements of Goal 12, as they pertain to annexation, have been met.

M. Energy Conservation (Goal 13)

Objective: *To conserve energy.*

1. Land use plans should be based on utilization of the following techniques and implementation devices which can have a material impact on energy efficiency:

a. Lot size, dimension, and siting controls;

b. Building height, bulk and surface area;

“Scappoose Industrial Parcel” Annexation and Zone Change

- c. Density of uses, particularly those which relate to housing densities;*
- d. Availability of light, wind and air;*
- e. Compatibility of and competition between competing land use activities; and*
- f. Systems and incentives for the collection, reuse and recycling of metallic and nonmetallic waste.*

Finding:

The site is located immediately adjacent to existing industrial uses. The proposed zoning would permit development in accordance with the Comprehensive Plan with the potential to create an energy-efficient land use pattern within the City’s Urban Growth Boundary.

N. Urbanization (Goal 14)

Objective: *To provide for an orderly and efficient transition from rural to urban land use.*

Finding:

The subject property is within the Urban Growth Boundary and no expansion of the UGB is proposed. The proposed annexation and zone change is the first step in the transition from rural to urbanized land as foreseen in the Comprehensive Plan. Development of the site will trigger requirements for the developer to provide infrastructure, including necessary sewer lines, storm drainage lines, water line extensions, and street improvements.

*O. Other Goals***Finding:**

The following goals are not applicable to this application:

- Willamette River Greenway (Goal 15)
- Estuarine Resources (Goal 16)
- Coastal Shorelands (Goal 17)
- Beaches and Dunes (Goal 18)

“Scappoose Industrial Parcel” Annexation and Zone Change

- Ocean Resources (Goal 19)

2. The following Administrative Rule has been considered by the City of Scappoose as it pertains to this request:

TRANSPORTATION PLANNING RULE

OAR 660 Division 12 – Transportation Planning:

660-012-0060 Plan and Land Use Regulation Amendments

(1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) As measured at the end of the planning period identified in the adopted transportation system plan:

(A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or

(C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

[...]

(3) Notwithstanding sections (1) and (2) of this rule, a local government may approve an amendment that would significantly affect an existing transportation facility without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility where:

“Scappoose Industrial Parcel” Annexation and Zone Change

(a) The facility is already performing below the minimum acceptable performance standard identified in the TSP or comprehensive plan on the date the amendment application is submitted;

(b) In the absence of the amendment, planned transportation facilities, improvements and services as set forth in section (4) of this rule would not be adequate to achieve consistency with the identified function, capacity or performance standard for that facility by the end of the planning period identified in the adopted TSP;

(c) Development resulting from the amendment will, at a minimum, mitigate the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development through one or a combination of transportation improvements or measures;

(d) The amendment does not involve property located in an interchange area as defined in paragraph (4)(d)(C); and

(e) For affected state highways, ODOT provides a written statement that the proposed funding and timing for the identified mitigation improvements or measures are, at a minimum, sufficient to avoid further degradation to the performance of the affected state highway. However, if a local government provides the appropriate ODOT regional office with written notice of a proposed amendment in a manner that provides ODOT reasonable opportunity to submit a written statement into the record of the local government proceeding, and ODOT does not provide a written statement, then the local government may proceed with applying subsections (a) through (d) of this section.

(4) Determinations under sections (1)-(3) of this rule shall be coordinated with affected transportation facility and service providers and other affected local governments.

(a) In determining whether an amendment has a significant effect on an existing or planned transportation facility under subsection (1)(c) of this rule, local governments shall rely on existing transportation facilities and services and on the planned transportation facilities, improvements and services set forth in subsections (b) and (c) below.

(b) Outside of interstate interchange areas, the following are considered planned facilities, improvements and services:

(A) Transportation facilities, improvements or services that are funded for construction or implementation in the Statewide Transportation Improvement Program or a locally or regionally adopted transportation improvement program or capital improvement plan or program of a transportation service provider.

[...]

“Scappoose Industrial Parcel” Annexation and Zone Change

(e) For purposes of this section, a written statement provided pursuant to paragraphs (b)(D), (b)(E) or (c)(A) provided by ODOT, a local government or transportation facility provider, as appropriate, shall be conclusive in determining whether a transportation facility, improvement or service is a planned transportation facility, improvement or service. In the absence of a written statement, a local government can only rely upon planned transportation facilities, improvements and services identified in paragraphs (b)(A)-(C) to determine whether there is a significant effect that requires application of the remedies in section (2).

Finding:

As noted previously, subsection 9 of OAR 660-012-0060 allows local governments to create findings that support zoning map amendments that do not significantly affect existing or planned transportation facilities when the following three conditions are met: the proposed zoning is consistent with the existing Comprehensive Plan, the local government has an acknowledged Transportation System Plan, and when the area under consideration was not exempted from the rule during an Urban Growth Boundary Amendment. The three conditions described within the OAR are met in that the City: has an adopted TSP, the site was not specifically exempted from the rule during an Urban Growth Boundary Amendment, and because the proposed zoning is consistent with the existing Comprehensive Plan. ODOT staff has submitted comments (**Exhibit 9**) stating that the annexation is consistent with the transportation planning for Scappoose and that the TSP did account for industrial development in this area. The applicant may need to submit a traffic study with future development proposals to analyze individual intersections and streets based upon the intensity of the proposed uses.

The City finds that the proposed annexation and zone change are consistent with the land uses envisioned by the Comprehensive Plan and the Transportation System Plan.

3. The following Goals and Policies from the Scappoose Comprehensive Plan are applicable to this request:

GOAL OF THE URBAN GROWTH BOUNDARY

It is the goal of the City of Scappoose to:

- 1) *Create within the City and its growth area, optimal conditions of livability.*
- 2) *Locate all major public and private developments such as schools, roads, shopping centers, and places of employment, so that they do not tend to attract residential development to locations outside the designated urban growth boundary.*

“Scappoose Industrial Parcel” Annexation and Zone Change

- 3) *Include within the urban growth boundary ample land for future development.*
- 4) *Promote employment generating uses within the airport section of the urban growth boundary. The amount of land required for the use should not dominate the amount of employment generated by the use.*
- 5) *Develop the airport area in a manner to create an industrial park.*

POLICIES FOR THE URBAN GROWTH BOUNDARY

It is the policy of the City of Scappoose to:

- 2) *Review the supply of buildable lands within the Urban Growth Boundaries, in cooperation with Columbia County during each major review of the City’s plan. The process of expanding the urban growth areas may begin when there is less than a five year supply of residential land or when 75 percent of the industrial or commercial lands are built on.*
- 8) *Consider annexation of industrial lands only when sufficient capacity exists for the delivery of sewer, water, street, police and fire services.*

[...]

Policies 1, 3-7, and 9-11 are not applicable to this application.

Finding:

Annexing the land comprising this site will provide an industrial employment opportunity immediately adjacent to Light Industrial zoned land already within City limits. This site is zoned M-2, Light Industrial, by Columbia County. Annexing the site allows Light Industrial development, as envisioned by the Comprehensive Plan goals and policies.

The City Engineer, Chief of Police, Fire Chief, and School Superintendent were provided with an opportunity to determine whether sufficient capacity exists for needed facilities and services. No objection to this annexation has been expressed by City Departments or public service agencies.

The applicable goals and policies of the GOAL OF THE URBAN GROWTH BOUNDARY and POLICIES FOR THE URBAN GROWTH BOUNDARY are satisfied.

GOAL FOR PUBLIC FACILITIES AND SERVICES

- 1) *Provide the public facilities and services which are necessary for the well being of the community and which help guide development into conformance with the Comprehensive Plan.*

“Scappoose Industrial Parcel” Annexation and Zone Change

- 2) *Direct public facilities and services, particularly water and sewer systems, into the urban growth area.*
- 3) *Ensure that the capacities and patterns of utilities and other facilities are adequate to support the residential densities and intensive land use patterns of the Comprehensive Plan.*
- 4) *Avoid the provision or expansion of public utilities and facilities in sparsely settled non-urban areas, when this would tend to encourage development or intensification of uses, or to create the need for additional urban services.*

Goals 5-11 are not applicable to this application.

POLICIES FOR PUBLIC FACILITIES AND SERVICES

- 1) *Design urban facilities and services, particularly water and sewer systems, to eventually serve the designated urban growth area; also, ensure that services are provided to sufficient vacant property to meet anticipated growth needs; also, develop a design review process to insure that public services and facilities do not unreasonably degrade significant fish and wildlife habitats.*
- 9) *Control local flooding and groundwater problems through the use of existing storm drainage systems and construction of new facilities in accordance with the Scappoose Storm Drain System Master Plan.*
- 20) *Approve annexations of new industrial lands only when there is sufficient capacity in the sewer, water, street, fire, and police systems of the city.*

Policies 2-8, 10-19 and 21-27 are not applicable to this application.

Finding:

The City Engineer, City Manager, Chief of Police, Fire Chief, and school Superintendent were provided with the opportunity to determine whether sufficient capacity exists for needed facilities and services. No objection to this annexation has been expressed by City Departments or public service agencies. The public facility requirements must be met at the time that the applicant proposes a Development Plan for industrial uses. All plans and improvements are subject to review by the City Engineer and must conform to the requirements of the Scappoose Municipal Code and the Public Works Design Standards and Standard Specifications.

Fire & Police Protection

“Scappoose Industrial Parcel” Annexation and Zone Change

- The Scappoose Rural Fire District provides fire protection. The station is located at 52751 Columbia River Highway, approximately 0.5 miles from the site. The impact to the fire protection services from annexation of this site will be relatively low since the site is already in the Fire District. Furthermore, development of the site will have to comply with all applicable fire and building codes and would provide hydrants in sufficient numbers and at locations deemed appropriate by the Scappoose Rural Fire District.
- The impact on police services would also be relatively low from the anticipated use of Light Industrial operations.

Schools

- It is unclear what impact additional employees and their families will have on local school district enrollment. The local school district should receive additional revenues due to increased valuation as a result of future development to partially offset any increase in school district enrollment.

Water Service

- There is an existing City water line available nearby via an 8” line on the south side of Scappoose-Vernonia Road and Manor Drive. The City does not propose to fund extension of water service to the site at this time due to the distance between the site and existing water infrastructure. The applicant would be required to extend water lines to connect to the water system at the time of development. The Water System Master Plan also shows an 8” loop from the subject site to Highway 30 and a 16” line extending from the driveway access of the subject site to the Scappoose-Vernonia Road intersection with Highway 30 and may need to be constructed to provide a looped water system depending on the flow requirements of the subject site.

Sewer and Storm Drainage

- The nearest sanitary sewer can be found on the south side of Scappoose-Vernonia Road and Manor Drive. The City does not propose to fund extension of sewer service to the site at this time due to the distance between the site and existing sewer infrastructure. The applicant would be required to extend sewer lines to connect to the sewer system at the time of development. The applicant may be required to add additional capacity at the EJ Smith pump station due to increased flows per the Sanitary Master Plan.
- There is no public storm drain system in the vicinity of the site so the applicant will have to provide stormwater management at such time that the property develops. The storm drainage system would be designed to ensure that development of the site does not degrade water quality or increase water quantity draining to the Scappoose Drainage District or cause other flooding or groundwater problems.

“Scappoose Industrial Parcel” Annexation and Zone Change

- Upon annexation and a zone change, a closer evaluation of the sewer service and drainage options will happen during Site Development Review.
- Local flooding and groundwater problems would be controlled upon development by the construction of new drainage facilities in accordance with the Scappoose Storm Drain System Master Plan.

The applicable goals and policies of the GOAL FOR PUBLIC FACILITIES AND SERVICES, and the POLICIES FOR PUBLIC FACILITIES AND SERVICES, are satisfied.

GOAL FOR ECONOMICS

It is the goal of the City of Scappoose to:

- 1) Maintain conditions favorable for a growing, healthy, stable, and diversified business and industrial climate.*
- 2) Establish greater local control over the density of local economic development.*

POLICIES FOR ECONOMICS

It is the policy of the City of Scappoose to:

- 1) Make sufficient land available for the anticipated expansion of commercial and industrial activities.*
- 4) Encourage the expansion of employment opportunities within the urban area, so residents can work within their community as well as commute to jobs outside the City.*
- 5) Promote pollution free industrial development necessary to provide a balanced tax base for the operation of local government services.*
- 7) Assist in programs to attract desirable industries in terms of diversification, labor-intensiveness, and non-pollution rather than accept any industry which may wish to locate here; additionally, to prohibit industries with excessive levels of pollution or other undesirable effects which would cancel possible economic benefits or threaten the existing quality of living.*
- 11) Identify special locations for industrial activities that will assist in energy conservation; specifically, industries should be clustered:*
 - a. Close to existing rail lines.*

“Scappoose Industrial Parcel” Annexation and Zone Change

b. To allow for employees to use carpools.

- 13) *Coordinate its plans for public facilities to accommodate expected industrial and residential growth.*

Policies 2-3, 6, 8-10, 12, and 14-17 are not applicable to this application.

Finding:

The subject property is located in the Scappoose Urban Growth Boundary and is designated Industrial on the Comprehensive Plan Map in recognition of planned industrial uses at such time that the City annexes the property. Industrial development will enhance the City’s economic base, providing additional employment opportunities within the City Limits. The City’s system plans for water and sanitary sewer service are capable of accommodating industrial use of the subject property. Improvements to the Highway 30 & Crown-Zellerbach intersection were completed in 2006 and will support the industrial uses of this and surrounding development.

Annexing this 22.4-acre site will satisfy the immediate need for industrial land. Annexation of this property also affords the City direct control over development.

The proposed Light Industrial use would be required to conform to Chapter 17.90 – Environmental Performance Standards, which would encourage low-pollution activities that would bolster the City’s tax base and provide employment opportunities for City residents. Annexation will allow this development to occur within City Limits.

The applicable goals and policies of the GOAL FOR ECONOMICS and the POLICIES FOR ECONOMICS are satisfied.

GENERAL GOALS FOR LAND USES

- 1) *The growth of the City should be orderly and in accordance with the public health, safety and welfare, while preserving individual choice and recognizing existing patterns of development.*
- 3) *A suitable balance between competing land use should be established so that, insofar as possible, the complete range of social, economic, cultural, and aesthetic needs of the community are met.*
- 8) *Industrial areas should be suitable for their purpose, properly located, and adequate for future needs.*
- 13) *A safe and convenient transportation system should be developed to meet future needs.*

“Scappoose Industrial Parcel” Annexation and Zone Change

- 14) *The local economy should be strengthened and diversified.*

Goals 2, 4-7, 9-12, and 15-19 are not applicable to this application.

Finding:

The subject property is located in the UGB and is suitably located to accommodate contemporary industrial needs. This area is not in conflict with residential uses and would benefit from the proximity of nearby industrial development. Annexation of this site provides for orderly development of the area around an existing industrial cluster and provides a balanced land use supply by eliminating the immediate deficit of industrial land within the City. Providing an opportunity for development by annexing the site will increase the number of job opportunities within the City.

The applicable goals and policies of the GENERAL GOALS FOR LAND USES are satisfied.

GOAL FOR THE INDUSTRIAL LAND USE DESIGNATION

It is the goal of the City of Scappoose to:

- 1) *Provide a place for industrial activities where their requirements can be met, and where their environmental effects will have a minimal impact upon the community.*

POLICIES FOR THE INDUSTRIAL LAND USE DESIGNATION

It is the policy of the City of Scappoose to:

- 1) *Provide suitable areas for industrial expansion, utilizing for such purposes relatively large, flat areas that are separated by buffers from the City's residential districts.*
- 3) *Locate industrial areas so they have a convenient relationship to the community's transportation system, without generating heavy traffic through residential districts; additionally, the clustering of industrial activities will allow carpooling by employee.*

Policies 2 and 4-6 are not applicable to this application.

Finding:

The subject site is a relatively large and flat area suitable for industrial uses since it is clustered near existing industrial uses and would allow for carpooling of employees upon the development of the site. Access to the property from Highway 30 is relatively direct via a 50-foot wide easement along the eastern property boundary, which would not impact residential areas.

“Scappoose Industrial Parcel” Annexation and Zone Change

The applicable goals and policies of the GOAL FOR THE INDUSTRIAL LAND USE DESIGNATION and POLICIES FOR THE INDUSTRIAL LAND USE DESIGNATION are satisfied.

GOAL FOR TRANSPORTATION

[...]

8) *To assure that roads have the capacity for expansion and extension to meet future demands.*

POLICIES FOR TRANSPORTATION

1) *Require all newly established streets and highways to be of proper width, alignment, design and construction, and to ensure that they are in conformance with the City’s Subdivision Ordinance.*

2) *Review diligently all subdivision plats and road dedications to insure the establishment of a safe and efficient road system.*

Finding:

The required improvements and construction of new streets serving the site must meet the requirements of the Columbia County Transportation System Plan and the Public Works Design Standards. Additional findings are found in Findings of Fact #2, Transportation Planning Rule.

4. **The following sections of Title 17 of the Scappoose Municipal Code (Scappoose Development Code) are applicable to this request:**

Chapter 17.22 AMENDMENTS TO THE TITLE, COMPREHENSIVE PLAN, AND MAPS

17.22.010 Purpose. The purpose of this chapter is to set forth the standards and purposes governing legislative and quasi-judicial amendments to this title, the acknowledged comprehensive plan, and the related maps.

17.22.030 Quasi-judicial amendments. Quasi-judicial amendments shall be in accordance with the procedures set forth in Chapter 17.162 and the following:

A. The commission shall make a recommendation to the Council to approve, approve with conditions or deny an application for a quasi-judicial comprehensive plan map amendment or zone changes based on the following:

“Scappoose Industrial Parcel” Annexation and Zone Change

1. *The applicable comprehensive plan policies and map designation;*
 2. *The change will not adversely affect the health, safety and welfare of the community;*
 3. *The applicable standards of this title or other applicable implementing ordinances; and*
 4. *Evidence of change in the neighborhood or community or a mistake or inconsistency with the comprehensive plan or zoning map as it relates to the subject property.*
- B. The council shall decide the applications on the record.*
- C. A quasi-judicial application may be approved, approved with conditions or denied.*

Finding:1. *THE APPLICABLE COMPREHENSIVE PLAN POLICIES AND MAP DESIGNATION*

As specified by Section 17.136.070 of the Scappoose Municipal Code, if this property is annexed it would automatically receive the Light Industrial (LI) zoning designation since the site had an “Industrial” Comprehensive Plan Map designation. The applicant has requested that the lands retain an industrial designation upon annexation, therefore no amendment to the Comprehensive Plan is required. Annexation of the subject property will implement the Comprehensive Plan by adding industrial lands to the City’s current inventory.

2. *THE CHANGE WILL NOT ADVERSELY AFFECT THE HEALTH, SAFETY AND WELFARE OF THE COMMUNITY;*

The proposed annexation is consistent with the Comprehensive Plan because the property lies within the Urban Growth Boundary. The zone change to LI implements the Industrial Comprehensive Plan designation. Operations of industrial developments are regulated to ensure minimal off-site impacts. Therefore, the proposal will not adversely affect health, safety, and welfare.

3. *THE APPLICABLE STANDARDS OF THIS TITLE OR OTHER APPLICABLE IMPLEMENTING ORDINANCES;*

The proposed annexation and zone change are policy decisions subject to guidance by the full policy framework established by the Oregon Statewide Land Use Planning Goals and associated Oregon Administrative Rules (OAR), and by the Scappoose Comprehensive Plan and

“Scappoose Industrial Parcel” Annexation and Zone Change

Development Code. Full discussion of the applicable standards is found in this report. The analysis demonstrates consistency and compliance with all applicable approval standards.

4. EVIDENCE OF CHANGE IN THE NEIGHBORHOOD OR COMMUNITY OR A MISTAKE OR INCONSISTENCY WITH THE COMPREHENSIVE PLAN OR ZONING MAP AS IT RELATES TO THE SUBJECT PROPERTY.

The proposal is in response to a growing community and developing economy with a viable market for additional industrial development.

Chapter 17.70 LI LIGHT INDUSTRIAL

17.70.030 Permitted uses. In the light industrial zone, activities are subject to site development review, Chapter 17.120, Site Development Review. Only the following uses and their accessory uses are permitted outright:

[...]

F. Building materials sales and service;

[...]

L. Retail facilities on sites greater than one hundred thousand square feet;

M. Manufacturing of finished products;

N. Manufacturing of components for use in finished products;

O. Packaging of previously processed materials;

P. Participation sports and recreation: indoor and outdoors;

Q. Processing and packing of food products; [...]

Y. Wholesale, storage, and distribution; [...]

Finding:

A variety of uses are permitted in the Light Industrial zoning district. No development is proposed at this time. The requirements of this section will apply to future development of the site. The applicant was required to, and has submitted a conceptual development plan, which is included as **Exhibit 4** to show a possible layout of the subject site upon future development. Section 17.70.030 is satisfied.

*“Scappoose Industrial Parcel” Annexation and Zone Change*Chapter 17.136 ANNEXATIONS17.136.020 Policy.

Annexations shall be considered on a case-by-case basis, taking into account the goals and policies in the Scappoose Comprehensive Plan, long range costs and benefits of annexation, statewide planning goals, this title and other ordinances of the City and the policies and regulations of affected agencies’ jurisdictions and special districts.

A. *It is the City’s policy to encourage and support annexation where:*

- 1. The annexation complies with the provisions of the Scappoose Comprehensive Plan*
- 2. The annexation would provide a logical service area, straighten boundaries, eliminate or preclude islands of unincorporated property, and contribute to a clear identification of the City.*
- 3. The annexation would benefit the City by addition to its revenues of an amount that would be at least equal to the cost of providing service to the area.*
- 4. The annexation would be clearly to the City’s advantage in controlling the growth and development plans for the area.*

Finding:

The proposed annexation complies with the goals and policies of the Comprehensive Plan. The annexation will provide a logical service area and is adjacent to land within the City currently zoned Light Industrial, thereby contributing more available land within an identified industrial cluster. Revenues from the area are anticipated to cover the cost of providing services, especially factoring in the employment that could occur on site. The costs associated with the extension of services to the site will be the responsibility of the developer or owner at the time of development. Any developer will also be required to contribute to the City’s infrastructure systems through the payment of system development charges at the time of development. Annexation will allow the City to manage growth and alleviate an immediate need for industrial property within the City Limits. Annexation of the property provides for City inspection and approval of all development. The area proposed for annexation is within the City’s Urban Growth Boundary and would benefit the City by providing opportunities for economic development and local employment.

Section 17.136.020(A) is satisfied.

“Scappoose Industrial Parcel” Annexation and Zone Change

B. *It is the City’s policy to discourage and deny annexation where:*

1. *The annexation is inconsistent with the provisions of the Scappoose Comprehensive Plan.*
2. *The annexation would cause an unreasonable disruption or distortion of the current City boundary or service area.*
3. *The annexation would severely decrease the ability of the City to provide services to an area either inside or outside of the City.*
4. *Full urban services could not be made available within a reasonable time.*

Finding:

The proposal is consistent with the provisions of the Scappoose Comprehensive Plan as previously discussed. The annexation does not decrease the ability of the City to provide services and does not cause an unreasonable disruption of the current City boundary. The proposed annexation site can be served by urban services provided that the applicant installs water, sewer and storm facilities to serve the site and improves the streets in conjunction with future development. Section 17.136.020(B) is satisfied.

17.136.040 Approval standards.

A. *The decision to approve, approve with modifications or deny, shall be based on the following criteria:*

1. *All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area;*

Finding:

Existing municipal police services can be made available to the site immediately. The site has access to Highway 30 and the TSP indicates that area roads and intersections have the proper capacity to meet future development of the site. The property is already located within the Scappoose Rural Fire District, the Scappoose School District, the Scappoose Library District, and the Scappoose Parks and Recreation District. Telephone and electric services are already provided to neighboring properties.

“Scappoose Industrial Parcel” Annexation and Zone Change

Water and sewer service can be made available to the site and could be provided when the applicant extends the water and sewer lines. The water treatment plants and wastewater treatment plant have excess capacity to accommodate development of this and other sites, according to City staff in the Water Department.

Section 17.136.040(A).1 is satisfied.

2. *The impact upon public services which include but are not limited to police and fire protection, schools and public transportation to the extent that they shall not be unduly compromised;*

Finding:

As discussed previously, the proposed annexation will have a minimal impact on the capacity of public service providers, especially since the site is already within the service areas of the Fire District and other service providers. Section 17.136.040(A).2 is satisfied.

3. *The need for housing, employment opportunities and livability in the City and surrounding areas;*

Finding:

This annexation would provide an additional 22.4 acres of industrial land with the potential for long-term employment, and would also create temporary employment opportunities for the construction of utilities and structures. Annexation would stimulate economic development. Section 17.136.040(A).3 is satisfied.

4. *The location of the site in relation to efficient provision of public facilities, services, transportation, energy conservation, urbanization and social impacts.*

Finding:

This site is contiguous to the existing City limits and is bordered to the south by land within the City. Police and fire protection can be supplied by the Scappoose Police Department and Scappoose Rural Fire Protection District, respectively. The site has convenient transportation access to Highway 30, and is close to existing industrial development, making carpooling and energy conservation possible. Urbanization of the site is consistent with the City's Comprehensive Plan, and site development is not anticipated to impose adverse social impacts. Increasing the industrial land supply will benefit the City by providing employment opportunities and satisfying the immediate need for industrial land. Section 17.136.040(A).4 is satisfied.

“Scappoose Industrial Parcel” Annexation and Zone Change

17.136.070 Zoning upon annexation. Upon annexation, the area annexed shall be automatically zoned to the corresponding land use zoning classification as shown in the table below. The zoning designation shown on the table below is the city's zoning district which most closely implements the city's comprehensive plan map designation.

Comprehensive Plan	Zoning Classification
SR	R-1, Low Density Residential
GR	R-4, Moderate Density Residential
MH	MH, Manufactured Home Residential
C	Expanded Commercial
I	Light Industrial

Finding:

The site has a Comprehensive Plan designation of I, Industrial. Upon annexation, the site would automatically be zoned LI, Light Industrial. Section 17.136.070 is satisfied.

Chapter 17.162 PROCEDURES FOR DECISION MAKING--QUASI-JUDICIAL

17.162.090 Approval authority responsibilities. [...]

C. The planning commission shall conduct a public hearing in the manner prescribed by this chapter and shall have the authority to approve, approve with conditions, approve with modifications or deny the following development applications:

- 1. Recommendations for applicable comprehensive plan and zoning district designations to city council for lands annexed to the city;*
- 2. A quasi-judicial comprehensive plan map amendment except the planning commission's function shall be limited to a recommendation to the council. The commission may transmit their recommendation in any form and a final order need not be formally adopted;*
- 3. A quasi-judicial zoning map amendment shall be decided in the same manner as a quasi-judicial plan amendment; [...]*

*“Scappoose Industrial Parcel” Annexation and Zone Change***Finding:**

The applicant has requested the concurrent review of Annexation and a Zone Change. The Planning Commission will make a recommendation to the City Council regarding the applicant’s request. Based on the submitted materials and the staff report the applicant’s proposal complies with the City’s Comprehensive Plan and with the requirements of Title 17 of the Scappoose Municipal Code. Section 17.162.090(C) is satisfied.

RECOMMENDATION

The industrial use proposed for this site is consistent with the City of Scappoose Comprehensive Plan and the parcel is within the City’s Urban Growth Boundary. The site is also within the boundaries of the special districts and departments providing public services to the areas within the City.

Based on the findings of fact, the conclusionary findings for approval, and the material submitted by the applicant, staff recommends that the Planning Commission recommend **APPROVAL** of application ANX1-15, ZC2-15 to City Council for placement on the November 2015 ballot.

ANX1-15, ZC2-15

Vicinity Map for Scappoose Industrial Annexation

Location: Scappoose-Vernonia Hwy at Bellcrest Road

Columbia County Assessor Map: 3201-CO-00600, 3201-CO-03100 & 3201-CC-01700



SITE
3201-CO-00600,
3201-CO-03100,
and 3201-CC-01700



- Legend**
- Streets
 - Taxlots Boundary

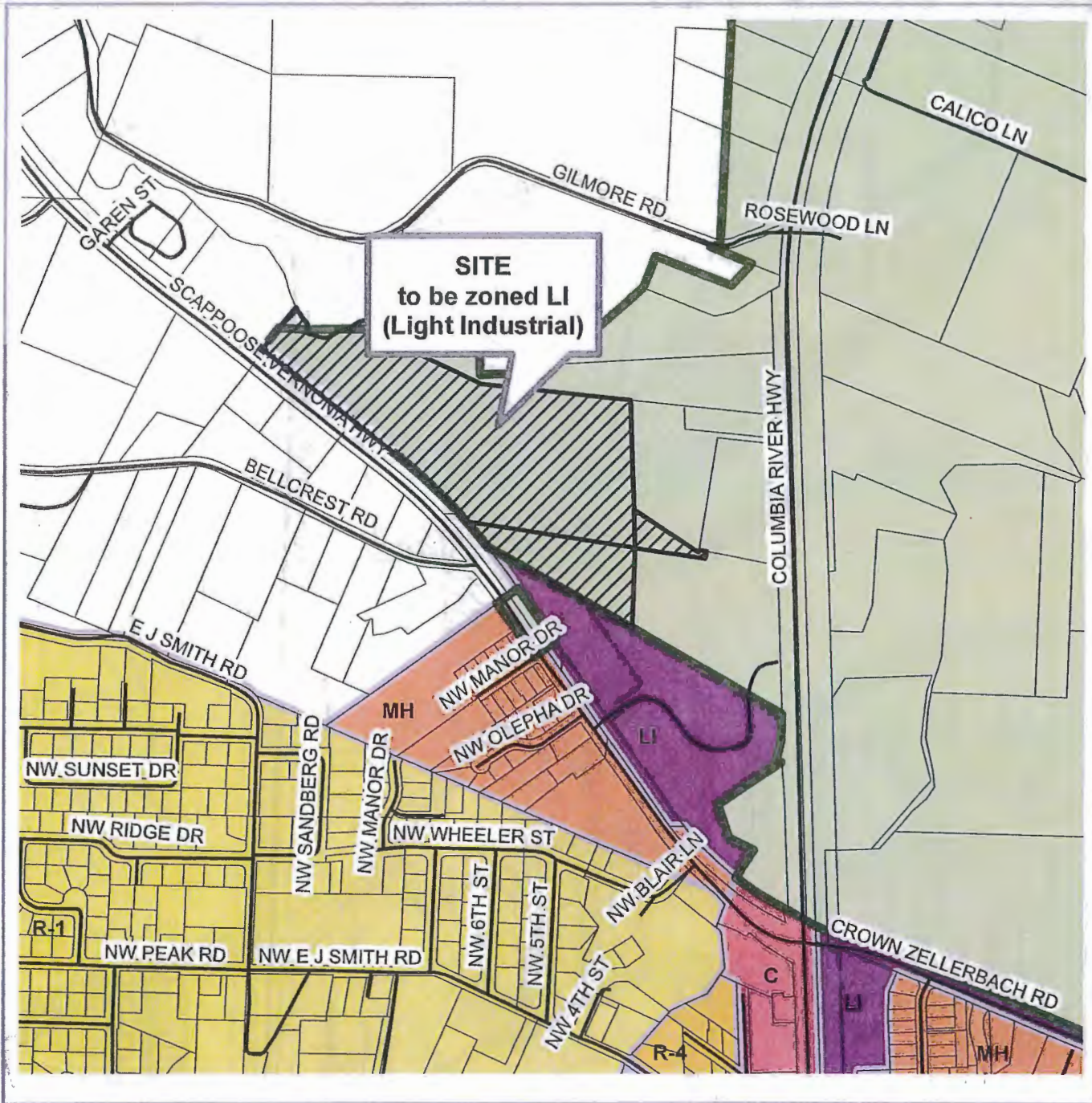


ANX1-15, ZC2-15

Zoning Map for Scappoose Industrial Annexation

Location: Scappoose-Vernonia Hwy at Bellcrest Road

Columbia County Assessor Map: 3201-CO-00600, 3201-CO-03100 & 3201-CC-01700



Legend

Streets	R-1	C	PL-U
Urban Growth Boundary	R-4	EC	PUA
Taxlots Boundary	A-1	LI	
	MH	PL-R	

0 100 200 400 600 800 1,000 1,200 Feet

CITY OF SCAPPOOSE

Exhibit 3

Planning Department

52610 NE 1st Street, Suite 120
 Mailing address: 33568 E. Columbia Avenue, Scappoose, OR 97056
 Phone: (503) 543-7184 fax: (503) 543-5679

CHECK THE TYPE OF APPLICATION YOU ARE APPLYING FOR:			
Development Code/ Comprehensive Plan Text Amendment			
Comprehensive Plan Map Amendment		Variance (Major or Minor)	
Zone Change		Sign Permit	
Annexation	X	Temporary Commercial Use	
Subdivision		Vacation (Street or Easement)	
Partition (Major or Minor)		Public Land Tree Removal	
Property Line Adjustment		Type II Home Occupation	
Sensitive Lands Development Permit		Determination of Similar Use	
Site Development Review		Modification to Previous Approval	
Conditional Use		Pre-Application Conference	

Requirements for each specific type of application will be attached to this form and constitute part of the application packet.

Applicant: 3J Consulting, Inc

Property Owner: Scappoose Holding, LLC

Mailing Address: 5075 SW Griffith Dr., Suite 150

Mailing Address: 12042 SE Sunnyside Road, Suite 570

City Beaverton State OR Zip 97005

City Clackamas State OR Zip 97015

Phone: 503-545-1907 Fax: _____

Phone: 503-201-8616 Fax: _____

Email: andrew.tull@3j-consulting.com

Email: jeff@dj2holdings.com

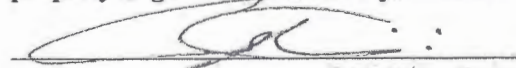
Property Address or Location: Scappoose Vernonia Hwy at Bellcrest Road

Columbia County Tax Account Number: 3N2W1CO 00600 & 03100

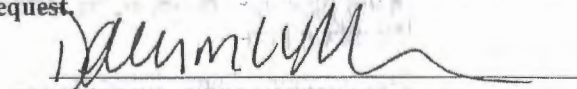
A Legal Description of the Property must be attached.

A pre-application conference may be required depending on the type of application. Confirm with City Planner.

I certify that this application and its related documents are accurate to the best of my knowledge. I understand that the signature on this application authorizes the City and its agents to enter upon the subject property to gather information pertinent to this request.



 Signature of Applicant (required)



 Signature of Property Owner (required)

To be completed by City Staff:

Date application was submitted: _____ Amount of Fee paid: _____ Receipt Number: _____

Before this application will be processed, the Planner must certify that all applicable items are included and the application is complete. Date application accepted as complete: _____

Please attach this form to the application cover form and return with the following items:

(For Office Use Only)

Complete

- _____ 1. Map and Tax Lot number, name of owner and mailing address as shown in the Columbia County Tax Rolls for all property within 200' of the outside perimeter of the tax lot(s) for which the annexation is proposed.
- _____ 2. A copy of the applicable Columbia County Assessor map.
- _____ 3. A metes and bounds legal description of the annexation area.
- _____ 4. A vicinity map showing the existing comprehensive plan designation and zoning for the site and surrounding properties and the proposed zoning.
- _____ 5. A narrative discussing all applicable comprehensive plan policies and all supporting documentation related to statements included in narrative. The narrative must include a discussion of the availability, capacity, and status of **existing water**, sewer, drainage, transportation, park, police and fire service, and school facilities and the increased demand for such facilities to be generated by any proposed development within the annexation area.
- _____ 6. A conceptual development plan drawn to engineering scale. Include 3 copies of all drawings larger than 11 X 17. One copy must be 11 X 17. If an item is not applicable to your site, please indicate by initialing beside that item. The conceptual development plan shall include the following.
 - _____ The site size in square feet and the outside dimensions; and
 - _____ The location, dimensions, setback distances and use of all existing structures and improvements located within 25 feet of the site; and
 - _____ The location, dimensions, setback distances and for all proposed structures and improvements on the site; and
 - _____ The location, dimensions and names of all existing and platted streets and other public ways and easements on the site and on all adjacent properties and all proposed streets or other public ways and easements on the site; and
 - _____ The location of all utilities which are located within 25 feet of the site and all proposed utilities for the development; and
 - _____ The location of drainage patterns and drainage courses; and
 - _____ The location of any flood plain areas (Scappoose Drainage District, 100 year flood plain and floodway as indicated on FIRM Maps) and the FIRM Map Number; and
 - _____ The location of any slopes in excess of 15 percent; and
 - _____ The location of any unstable ground (areas subject to slumping, earth slides or movement); and



April 27, 2015

City of Scappoose
Attn: Ms. Laurie Oliver
Associate City Planner
52610 NE 1st Street
Scappoose, Oregon

**Scappoose Industrial – Annexation Proposal
Scappoose, Oregon**

Dear Ms. Oliver,

3J acts on behalf of the owners of the property known as Tax Lots 3N2W1CO 00600 & 03100 and 3N2W1CC 01700 in providing this petition for annexation of the territory into the City of Scappoose. The owners of the property have requested consideration for annexation in order to initiate extension of urban services.

We have provided this letter, the accompanying narrative, and the City's application and petition in order to formally request consideration for annexation by the City's Planning Commission, Council, and the Electorate. Over the coming weeks, we look forward to working with you to perfect this application.

Please feel free to contact me directly if you have any questions or need any additional clarification.

Sincerely,

A handwritten signature in blue ink, appearing to read 'AT', is positioned above the typed name of the sender.

Andrew Tull
Principal Planner
3J Consulting, Inc.

copy: Mr. Jeff Curran, Scappoose Holding, LLC
Mr. John Howorth, 3J Consulting, Inc.
File

SCAPPOOSE INDUSTRIAL PROPERTY ANNEXATION APPLICATION

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Attachments

- Attachment A – Petition for Annexation and Land Use Application Form
- Attachment B – Title Report and Legal Description
- Attachment C – Mailing Labels

GENERAL INFORMATION

Property Owner and Applicant: **Scappoose Holding, LLC**
4426 SW Hillside Drive
Portland, OR 97221
Contact: Jeff Curran
Phone: 503-201-8616
Email: jeff@dj2construction.com

Applicant's Representative: **3J Consulting, Inc.**
5075 SW Griffith Drive, Suite 150
Beaverton, OR 97005
Contact: Andrew Tull
Phone: 503-545-1907
Email: andrew.tull@3j-consulting.com

SITE INFORMATION

Parcel Number: 3N2W1CO 00600 & 03100 and 3N2W1CC 01700
Address: No site address
Size: 22.4 acres
Zoning Designation: M-2 (County)
Existing Use: Vacant
Street Functional Classifications: The Scappoose Vernonia Highway is functionally classified as a Collector. The Site has access to Highway 30 via an easement to the east. Highway 30 is functionally classified as an Arterial.
Surrounding Zoning: LI – City - Light Industrial to the south
M-2 – County - Light Manufacturing to the north and east
RR-5 – County - Rural Residential 5 acres to the west
PA-80 – County - Primary Agriculture to the north

INTRODUCTION

APPLICANT'S REQUEST

The applicant respectfully requests a recommendation by staff and the City's Planning Commission to place the proposed annexation of the subject properties, 3N2W1CO 00600 & 03100 and 3N2W1CC 01700 before the City Council and the City's Electorate. The applicant has also requested that the City assign the property with a Light Industrial zoning designation, consistent with the City's Comprehensive Plan. The property is located within the City's Urban Growth Boundary and has been designated by the City's Comprehensive Plan as an industrial site. The site is currently zoned for industrial use by Columbia County and is intended to receive a Light Industrial Zoning Designation upon annexation to the City of Scappoose.

The site's zoning for industrial uses and the proposed annexation will increase the City's industrial lands inventory, provide opportunities for economic growth, and provide opportunities for short term construction and long term local job creation.

SITE DESCRIPTION/SURROUNDING LAND USE

The site is located to the north of the Scappoose Vernonia Highway, immediately adjacent to the current limits of the City of Scappoose. The property is bounded to the north by the northern arm of the Scappoose Creek. The site is bounded to the south by the Highway. The site is generally flat and vacant and contains limited areas of vegetation which border the creek to the north, and a small wetland complex to the south. The property has access potential along the Scappoose Vernonia Highway to the south and access to Highway 30 via an existing easement over an adjoining property located immediately to the east of the property's eastern boundary.

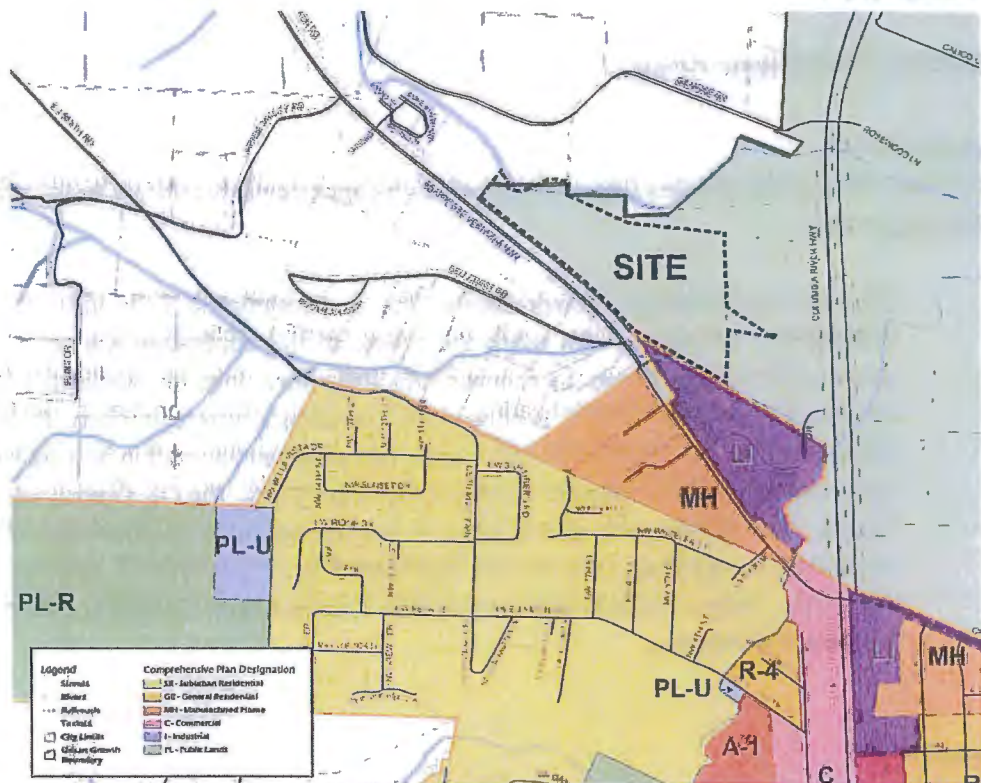


Figure 1 – Comprehensive Plan Designation and Site Location

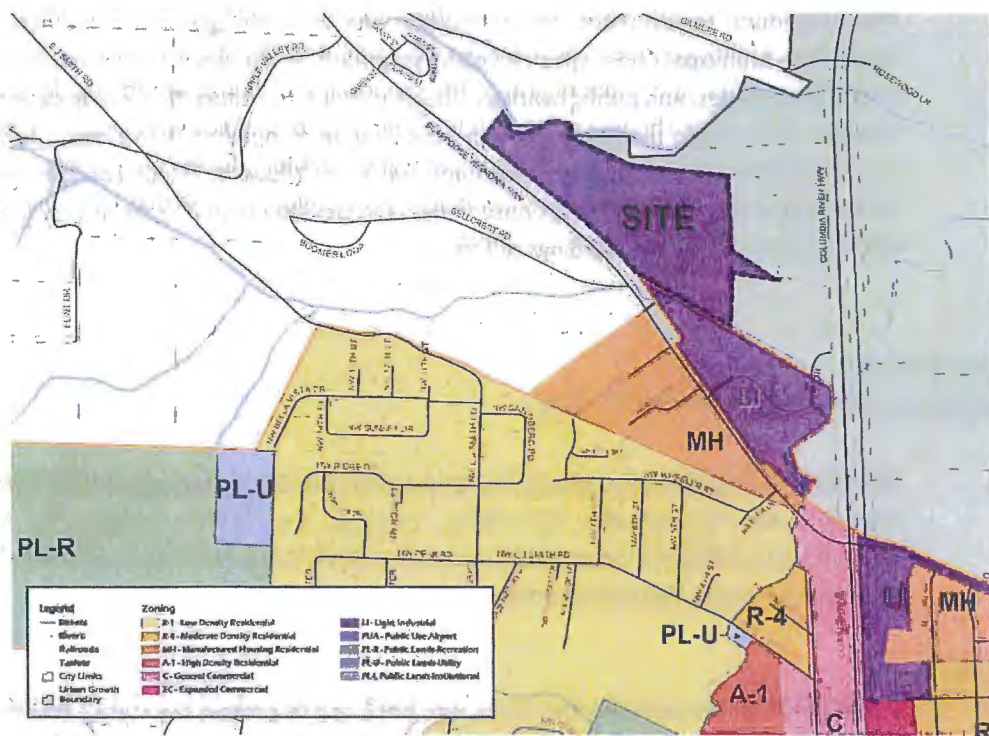


Figure 2 – Zoning Map and Site Location

APPLICABLE CRITERIA

OREGON'S STATEWIDE PLANNING GOALS

Citizen Involvement (Goal 1)

Objective: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Applicant's Finding: The City's acknowledged Comprehensive Plan & Development Code includes citizen involvement procedures with which the review of this application will comply. This process allows for citizens to communicate their input into the application review conducted by the City at public hearings or by submitting written comments. The City of Scappoose Planning Commission will review the proposed annexation and zoning map amendment to make a recommendation to the City Council. The City Council will hold a hearing. The applicant will post a notice on the site upon the determination that the application is complete. The City will mail notices to nearby property owners shortly thereafter. Notice will be published in a widely circulated local newspaper. This process complies with the goal.

Land Use Planning (Goal 2)

Objective: To establish a land use planning process and policy framework as a basis for all decision and actions related to use.

Applicant's Finding: The procedural requirements for annexation and zone changes are contained in the Scappoose Municipal Code, which involve assessment of the application's merits, notice to affected parties, and public hearings. The proposal is to change the zoning designation of urban land within the Urban Growth Boundary, in compliance with Goal 2. Notice of the annexation and zoning map amendment will be provided by the City of Scappoose to the Oregon Department of Land Conservation and Development (DLCD), as required. The City's decision is based on findings of fact.

Agricultural Lands (Goal 3)

Objective: To preserve and maintain agricultural lands.

Applicant's Finding: This Goal is not applicable because the site is within the City of Scappoose Urban Growth Boundary and no identified agricultural resources are located on site. The site is designated for industrial development in the Comprehensive Plan and is currently zoned for industrial use by Columbia County.

Forest Lands (Goal 4)

Objective: To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of



forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

Applicant's Finding: This Goal is not applicable because the site is within the City of Scappoose Urban Growth Boundary and no identified forest resources are located on site. The site is designated for industrial development in the Comprehensive Plan and is currently zoned for industrial use by Columbia County.

Open Spaces, Scenic and Historic Areas and Natural Resources (Goal 5)

Objective: To protect natural resources and conserve scenic and historic areas and open spaces.

Applicant's Finding: There are no identified Goal 5 resources on or near the site. The subject site is not designated as open space, a scenic site or historic area by the City of Scappoose. The site does contain a series of wetlands, floodways, and riparian areas, as shown on the City's local wetland inventory and floodplain maps. Any proposed development which is proposed on this site will be evaluated for compliance with the City's Land Use and Development Codes prior to allowing site development to proceed. The City's Land Use and Development codes have been implemented in order to limit impacts to natural resources and to provide protection for inventoried Goal 5 resources. The annexation of the property into the City will not conflict with this goal.

Air, Water and Land Resources Quality (Goal 6)

Objective: To maintain and improve the quality of the air, water and land resources of the state.

Applicant's Finding: The site is currently planned for industrial use. If the annexation were approved, the site would be subject to City regulations that do not allow off-site impacts from noise, vibration, odors, glare, or other "nuisance" effects. The potential harmful effects on air, water and land resource quality are limited. The annexation and zone change proposal will therefore have no significant impact with respect to this goal.

Areas Subject to Natural Disasters and Hazards (Goal 7)

Objective: To protect people and property from natural hazards.

Applicant's Finding: The subject site is not located within a potential landslide hazard or earthquake hazard area. A portion of the site is located within mapped flood plain and potential flood hazard areas. If annexed into the City, any proposal for development within the zone will be required to document compliance with the applicable City, State, and Federal requirements for development within areas affected by the flood plain. The annexation of the property into the City will have no impact on the site's ability to comply with the requirements for development. The Annexation of the property is consistent with avoidance of natural disasters and hazards under Goal 7.

Recreational Needs (Goal 8)

Objective: To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Applicant's Finding: The site is presently designated for industrial development on the Comprehensive Plan and has not been planned for recreational opportunities. The requested annexation and zone change to Light Industrial (LI) will not result in a reduction in land planned or

reserved for recreational use. Consequently, the proposed Annexation and Zone Change will have no significant impact on the City's planning for recreational needs.

Economic Development (Goal 9)

Objective: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Applicant's Finding: The site is presently designated for industrial development on the Comprehensive Plan and is a part of the City's future industrial inventory. The City's Light Industrial zone provides for a number of uses, which would provide opportunities to employ a local work force and contribute to the local economy. The site's location is ideal for access to significant infrastructure corridors and the proposed zoning of the site is suitable to encourage opportunities for economic activity. The proposed Annexation and Zone Change is consistent with this goal.

Housing (Goal 10)

Objective: To provide for the housing needs of citizens of the state.

Applicant's Finding: The site is presently designated for industrial development on the Comprehensive Plan and has not been planned for housing.

Public Facilities and Services (Goal 11)

Objective: To plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

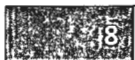
Applicant's Finding: The subject property lies within the Urban Growth Boundary (UGB) and therefore requires the extension of public facilities and services at the developer's expense. Full urban services are available to serve the site. Electricity, telephone, and gas are provided to adjacent properties and could be made available through the extension of nearby lines and public service infrastructure. An 8" water line is available from 2nd Street. An 8" sewer line also runs within 2nd Street. Storm drainage facilities will be designed to comply with regulations at the time of development. The proposed Annexation of the property is consistent with this goal.

Transportation (Goal 12)

Objective: To provide and encourage a safe, convenient and economic transportation system.

Applicant's Finding: This goal requires the City to prepare and implement a Transportation System Plan (TSP). The Scappoose TSP assumed that this site would be developed under the City's Light Industrial (LI) and Industrial Comprehensive Plan and Zoning designations.

Sub-section 9 of OAR 660-012-0060 allows local governments to create findings that support zone map amendments that do not significantly affect existing or planned transportation facilities when the following three conditions are met: the proposed zoning is consistent with the existing Comprehensive Plan, the local government has an acknowledged Transportation System Plan, and when the area under consideration was not exempted from the rule during an Urban Growth Boundary Amendment.



The three conditions described within the OAR are met in that the City: has an adopted Transportation System Plan, the site was not specifically exempted from the rule during an Urban Growth Boundary Amendment, and because the proposed zoning is consistent with the existing Comprehensive Plan. Further, the site is currently being included in an update process for the City's Transportation System Plan. As these conditions are met, the City can find that the Annexation of the property is acceptable.

The applicant may need to submit a traffic study with future development proposals to analyze individual intersections and street segments based upon the intensity of the proposed uses. The requirements of this section, as they pertain to annexation, have been satisfied.

Energy Conservation (Goal 13)

Objective: To conserve energy.

1. Land use plans should be based on utilization of the following techniques and implementation devices which can have a material impact on energy efficiency:

- a. Lot size, dimension, and siting controls;**
- b. Building height, bulk and surface area;**
- c. Density of uses, particularly those which relate to housing densities;**
- d. Availability of light, wind and air;**
- e. Compatibility of and competition between competing land use activities; and**
- f. Systems and incentives for the collection, reuse and recycling of metallic and nonmetallic waste.**

Applicant's Finding: The site is located immediately adjacent to existing industrial areas. The proposed zoning would permit development in accordance with the Comprehensive Plan with the potential to create an energy-efficient land use pattern within the City's Urban Growth Boundary.

Urbanization (Goal 14)

Objective: To provide for an orderly and efficient transition from rural to urban land use.

Applicant's Finding: The subject property is within the Urban Growth Boundary and no expansion of the UGB is proposed. The proposed annexation and zone change is the first step in the transition from rural to urbanized land as foreseen in the Comprehensive Plan. Development of the site will trigger requirements for the developer to provide infrastructure, including necessary sewer lines, storm drainage lines, water line extensions, and street improvements.

Goals 15 through 19

Applicant's Finding: The following goals are not applicable to this application:

- Willamette River Greenway (Goal 15)
- Estuarine Resources (Goal 16)
- Coastal Shorelands (Goal 17)
- Beaches and Dunes (Goal 18)
- Ocean Resources (Goal 19)

CITY OF SCAPPOOSE COMPREHENSIVE PLAN

The following elements of the Scappoose Comprehensive Plan are applicable to this request:

GOAL FOR PUBLIC FACILITIES AND SERVICES

- 1. Provide the public facilities and services which are necessary for the well-being of the community, and which help guide development into conformance with the Comprehensive Plan.**

Applicant's Finding: The proposed annexation will provide opportunities for industrial development within the City which are anticipated by the City's Comprehensive Plan. The site is currently zoned by the County for industrial development and the site falls within an area of the City's Comprehensive Plan, which will provide a cluster of industrially oriented uses. The potential range of permitted uses within the City's Industrial Zoning district will provide opportunities for locally based employment and access to services. The proposed annexation is consistent with this goal.

- 2. Direct public facilities and services, particularly water and sewer systems, into the urban growth area.**

Applicant's Finding: The development of the territory included within this annexation petition will require the extension of public facilities and services at the time of any future development. The site is located within the City's Urban Growth Boundary and the proposed annexation is therefore consistent with this goal.

- 3. Ensure that the capacities and patterns of utilities and other facilities are adequate to support the residential densities and intensive land use patterns of the Comprehensive Plan.**

Applicant's Finding: At the time of any future development following the annexation of the property, the City's engineering and planning staff will be entitled to a full review of the service networks and public facilities, which are available to serve the property and any proposed intensification of the use of the site. The site is located in an industrial cluster within the City's Comprehensive plan and the proposed zoning for the site is appropriate given the proximity to other industrial lands and access to transportation facilities. The proposed annexation is consistent with this goal.

- 4. Avoid the provision or expansion of public utilities and facilities in sparsely settled non-urban areas, when this would tend to encourage development or intensification of uses, or to create the need for additional urban services.**

Applicant's Finding: At the time of development, the site will likely be able to extend public sewer and water services from a series of existing City service connection points located to the south of the Scappoose Vernonia Highway, near the intersection of the Highway and NW Manor Drive. As this site is a part of a larger industrial cluster that is contained within the City's Urban Growth Boundary and anticipated for eventual development within the City's



Comprehensive Plan, the provision of urban services to this area would be consistent with this goal.

Goals 5-11 are not applicable to this application.

POLICIES FOR PUBLIC FACILITIES AND SERVICES

- 1. Design urban facilities and services, particularly water and sewer systems, to eventually serve the designated urban growth area; also, ensure that services are provided to sufficient vacant property to meet anticipated growth needs; also, develop a design review process to insure that public services and facilities do not unreasonably degrade significant fish and wildlife habitats.**

**Applicant's
Finding:**

At the time of any future development following the annexation of the property, the City's engineering and planning staff will be entitled to a full review of the design of the site, the service networks, and the public facilities necessary to provide service to the territory. In order to evaluate the design of any proposed future development, the property will require annexation into the City and an application for Design Review, in accordance with the City's decision making provisions. At the time of development, any impacts to fish and wildlife habitats will be fully evaluated for consistency with this and any of the other applicable sections of the City's Natural Resource and public services requirements. The proposed annexation is consistent with this goal.

- 9. Strive to control local flooding and groundwater problems using existing storm drainage systems, and continue to seek funding to develop a comprehensive storm drainage plan to guide future development in a coordinated manner.**

**Applicant's
Finding:**

The site is located in an area which has been mapped by the City and by the Federal Emergency Management Agency as containing both floodways and floodplains. Any future development of the property will be required to identify the areas which are subject to flooding and flood hazards. Any future development will also be required to consider these elements, which would not negatively affect the improvements proposed on-site or on any upstream or downstream properties. The future development of the site will be guided by the requirement associated with development within or near the floodplain and by the City's requirements for stormwater management. The proposed annexation is consistent with this goal.

- 10. Require new developments to provide adequate drainage at time of initial construction; however, discourage the removal of vegetation beside streams, the alteration of streams and the drainage of wetlands that are identified as significant wildlife habitats. Natural drainage ways shall be used to carry storm water runoff whenever possible. Before any changes in the natural drainage pattern are made, the Fish and Wildlife Department when reviewing the drainage plans for a new subdivision.**

Applicant's Finding: The Scappoose Land Use and Development Code implements this policy through the application of standards requiring protection, mitigation, and coordination with the Oregon Department of Fish and Wildlife (where applicable) for impacts to significant natural resources, vegetative corridors, and waterways. Future development will be required to meet standards and regulations in place regarding stormwater management at the time of development. The annexation of the property is consistent with this goal.

20. Approve annexations of new industrial lands only when there is sufficient capacity in the sewer, water, street, fire and police systems of the City.

Applicant's Finding: The site appears to be serviceable through an extension of existing sewer and water lines which are located within NW Manor Drive, located to the south of the site along the Scappoose Vernonia Highway. The annexation of the property will have limited impacts on the City's existing capacity for Fire and Police services as the property is currently vacant. The Scappoose Police Department was contacted regarding this annexation and has no concerns with providing service to a future industrial development at this location. This property is currently in the Scappoose Fire District and will remain within the District after annexation. At the time of future development, the Applicant will be responsible for coordinating with the City's Planning, Engineering, and Fire Departments to ensure that adequate services are available to serve the intensities of development proposed for the property. The proposed annexation of the property is consistent with this goal.

Policies 2-8, 11-19, and 21-27 are not applicable.

GENERAL GOALS FOR LAND USES

1. The growth of the City should be orderly and in accordance with the public health, safety, and welfare, while preserving individual choice and recognizing existing patterns of development.

Applicant's Finding: The site is located within the UGB and has already been determined to be appropriate for industrial development through the City's comprehensive planning process. All urban services are available or can be made available to serve future development on the site. The proposed annexation is consistent with this goal.

2. Industrial areas should be suitable for their purpose, properly located, and adequate for future needs.

Applicant's Finding: The site is located within an area which has excellent access to transportation, is clustered near other planned industrial lands, and which has been deemed suitable for industrial uses by both the County and the City. The industrial designations are present on both the City's and the County's zoning maps. The proposed annexation is consistent with this goal.

Goals 3-7 and 9-12 are not applicable



CHAPTER 17.22 – AMENDMENTS TO THE TITLE, COMPREHENSIVE PLAN, AND MAPS

17.22.030 Quasi-judicial amendments. Quasi-judicial amendments shall be in accordance with the procedures set forth in Chapter 17.162 and the following:

- A. The Commission shall make a recommendation to the Council to approve, approve with conditions, or deny an application for a quasi-judicial comprehensive plan map amendment or zone changes.
- B. The Council shall decide the applications on the record.
- C. A quasi-judicial application may be approved, approved with conditions or denied.

Applicant's Finding: The Applicant has presented the City with an application to annex the subject property into the City of Scappoose. The Applicant has demonstrated that all required services either are available, or may be extended to serve the property at the time of development. The City's Planning Commission can find that a recommendation of approval can be provided to allow this property to be annexed into the City of Scappoose. The City Council can find that this application is in compliance with the City and State's annexation criteria and can determine that this annexation petition should be placed before the electorate. The requirements of this section have been satisfied.

17.22.040 Approval criteria. Planning Commission review and recommendation, and Council approval, of an ordinance amending the comprehensive plan, the zoning map, or this title shall be based on the following criteria:

- A. If the proposal involves an amendment to the comprehensive plan, the amendment is consistent with the Statewide Planning Goals and relevant Oregon Revised Statutes and Administrative Rules;

Applicant's Finding: The proposal is for an amendment to the boundary of the City of Scappoose to annex the territory in question. The City's Comprehensive Plan Map currently shows the property as having an industrial designation. The Applicant has requested that the lands retain an industrial designation upon annexation therefore no amendment to the Comprehensive Plan is required. Annexation of the subject property will implement the Comprehensive Plan by adding industrial lands to the City's current inventory. The requirements of this section have been satisfied.

- B. The proposal is consistent with the Comprehensive Plan (although the Comprehensive Plan may be amended concurrently with proposed changes in zoning or this title), the standards of this title, or other applicable implementing ordinances;

Applicant's Finding: The proposal is consistent with the Comprehensive Plan, the standards of this title, and other applicable implementing ordinances. The requirements of this section have been satisfied.

- C. The change will not adversely affect the health, safety, and welfare of the community;

Applicant's Finding: The proposed zoning map change is anticipated within the Comprehensive Plan. The site is located within the Scappoose Urban Growth Boundary, and is designated as Industrial. The request is for annexation and inclusion within the corresponding City zone of LI – Light

Industrial. Future development of the site will be consistent with the provisions of the Scappoose Land Use Code, which has been developed so as to not adversely affect the health, safety and welfare of the community. In this case, industrial lands have been clustered near existing transportation corridors and separated from residential and commercial developments. The requirements of this section have been satisfied.

D. The proposal either responds to changes in the community, or it corrects a mistake or inconsistency in the comprehensive plan, the zoning map, or this title; and

Applicant's Finding: The proposal is in response to a growing community and developing economy with a viable market for additional industrial development. The requirements of this section have been satisfied.

E. The amendment conforms to Section 17.22.050.

Applicant's Finding: The Applicant has responded to Section 17.22.050 below.

17.22.050 Transportation planning rule compliance. Proposals to amend the Comprehensive Plan or zoning map shall be reviewed to determine whether they significantly affect a transportation facility pursuant to Oregon Administrative Rule (OAR) 660-012-0060 (Transportation Planning Rule - TPR). Where the City, in consultation with the applicable roadway authority, finds that a proposed amendment would have a significant effect on a transportation facility, the City shall work with the roadway authority and the applicant to modify the request or mitigate the impacts in accordance with the TPR and applicable law.

Applicant's Finding: Sub-section 9 of OAR 660-012-0060 allows local governments to create findings that support zone map amendments which do not significantly affect existing or planned transportation facilities when the following three conditions are met: the proposed zoning is consistent with the existing Comprehensive Plan, the local government has an acknowledged Transportation System Plan, and when the area under consideration was not exempted from the rule during an Urban Growth Boundary Amendment.

The three conditions described within the OAR are met in that the City has an adopted Transportation System Plan, the site was not specifically exempted from the rule during an Urban Growth Boundary Amendment, and the proposed zoning is consistent with the existing Comprehensive Plan. Further, the site is currently being included in an update process for the City's Transportation System Plan. As these conditions are met, the City can find that the annexation of the property is acceptable.

The Applicant may need to submit a traffic study with future development proposals to analyze individual intersections and street segments based upon the intensity of the proposed uses. The requirements of this section, as they apply to annexation, have been satisfied.

CHAPTER 17.70 – LI LIGHT INDUSTRIAL

17.70.030 Permitted uses. In the light industrial zone, activities are subject to site development review, Chapter 17.120, Site Development Review. Only the following uses and their accessory uses are permitted outright:

- A. Agricultural sales and services including uses customarily carried on outdoors except slaughterhouses, tanneries or rendering plants;
- B. Animal sales and service including auctions, kennels and veterinary;
- C. Automobile and equipment sales, service and repair (new and used);
- D. Bakeries;
- E. Building maintenance services;
- F. Building materials sales and service;
- G. Caretaker dwelling;
- H. Construction sales and services;
- I. Home occupation (Type I) subject to Chapter 17.142, Home Occupations;
- J. Laundry services;
- K. Research services;
- L. Retail facilities on sites greater than one hundred thousand square feet;
- M. Manufacturing of finished products;
- N. Manufacturing of components for use in finished products;
- O. Packaging of previously processed materials;
- P. Participation sports and recreation: indoor and outdoors;
- Q. Processing and packing of food products;
- R. Processing of previously processed materials for use in components or finished products;
- S. Processing of materials for use in any construction or building trades;
- T. Public support facilities;
- U. Parking facilities;
- V. Public safety services;
- W. Transportation terminals and storage yards, provided that a five foot landscaped perimeter setback surrounds all outdoor parking, all storage areas are buffered and screened in accordance with Chapter 17.100, Landscaping, Screening and Fencing, and all repair work is performed indoors;
- X. Vehicle fuel/convenience sales;
- Y. Wholesale, storage and distribution;
- Z. Any permitted use on a temporary basis subject to Scappoose Municipal Code 17.128, Temporary Commercial and Industrial Uses;
- AA. Wireless communications facilities, not to include antenna support structures, subject to the provisions of Chapter 17.93.

Applicant's Finding: No development is proposed at this time. The requirements of this section will apply to future development of the site. The requirements of this section have been satisfied.

17.70.050 Dimensional requirements.

- A. Unless otherwise specified, the minimum setback requirements are as follows:
 - 1. The front yard setback shall be a minimum of twenty feet;
 - 2. On corner lots the minimum setback for the side facing the street shall be five feet;

3. On through lots, the front and rear setback shall be a minimum of twenty feet;
 4. No additional side or rear yard setback shall be required except fifty feet shall be required where abutting a residential zoning district and the planning commission may reduce this required yard setback by fifty percent pursuant to Chapter 17.100, Landscaping, Screening and Fencing.
- B. No building shall exceed fifty feet in height. Within one hundred feet of a residential zone, no building shall exceed thirty-five feet in height.
- C. All outside storage areas require buffering and screening as defined in Chapter 17.100, Landscaping, Screening and Fencing. D. Additional requirements shall include any applicable section of this title.

Applicant's Finding: No development is proposed at this time. The requirements of this section will apply to future development of the site. The site is large enough to accommodate all required setbacks with future development. The requirements of this section have been satisfied.

CHAPTER 17.136 – ANNEXATIONS

17.136.020 Policy. Annexations shall be considered on a case-by-case basis, taking into account the goals and policies in the Scappoose Comprehensive Plan, long range costs and benefits of annexation, statewide planning goals, this title and other ordinances of the City and the policies and regulations of affected agencies' jurisdictions and special districts.

A. It is the City's policy to encourage and support annexation where:

1. The annexation complies with the provisions of the Scappoose comprehensive plan;

Applicant's Finding: The proposed annexation complies with the Scappoose Comprehensive Plan, which designates the site as Industrial land. The applicable sections of the Scappoose Comprehensive Plan have been addressed within this application. The requirements of this section have been satisfied.

2. The annexation would provide a logical service area, straighten boundaries, eliminate or preclude islands of unincorporated property, and contribute to a clear identification of the City;

Applicant's Finding: The annexation will provide a logical boundary for the expansion of the City within the Urban Growth Boundary. The southern boundary of the site abuts lands inside the City's limits. Properties to the east are located within the urban growth boundary. Properties to the north and west are not located within the UGB. The requirements of this section have been satisfied.

3. The annexation would benefit the City by addition to its revenues of an amount that would be at least equal to the cost of providing services to the area;

Applicant's Finding: The costs associated with the extension of services to the site will be the responsibility of the developer or owner of the property at the time of development. Any developer will also be required to contribute to the City's infrastructure systems through the payment of system development charges at the time of development. Services providers within the City will also be able to charge for ongoing services and uses. The annexation of the property will add to the revenues of the City in an amount which would at least be equal

to the cost of providing new services. The requirements of this section have been satisfied.

4. The annexation would be clearly to the City's advantage in controlling the growth and development plans for the area.

Applicant's Finding: The area proposed for annexation is within the City's Urban Growth Boundary and would benefit the City by providing opportunities for economic development and local employment. The site is currently located within the County and is zoned for industrial uses. The inclusion of this site within the City's limits would add to the City's inventory of industrial land and would provide diversity and choice to future businesses seeking to locate and do business within the City of Scappoose. The requirements of this section have been satisfied.

B. It is the City's policy to discourage and deny annexation where:

1. The annexation is inconsistent with the provisions of the Scappoose Comprehensive Plan;

Applicant's Finding: The proposed annexation is consistent with the Scappoose Comprehensive Plan's goals and policies, as described within this application. The requirements of this section have been satisfied.

2. The annexation would cause an unreasonable disruption or distortion of the current City boundary or service area;

Applicant's Finding: Annexation of the site will contribute to orderly and efficient growth of the City and service area. The requirements of this section have been satisfied.

3. The annexation would severely decrease the ability of the City to provide services to an area either inside or outside of the City;

Applicant's Finding: All necessary services and facilities appear to be available to be extended to serve the site and appear to have sufficient capacity to service the property if developed. The requirements of this section have been satisfied.

4. Full urban services could not be made available within a reasonable time.

Applicant's Finding: The Applicant will be responsible for the provision of urban services to the site prior to the development of the property, consistent with the City's master utility plans. Any application for development will require the submission of construction plans for the provision of urban services prior to the construction of any improvements to the subject territory. The provision of services to the site will therefore be reasonably timed to support any proposed future development. The requirements of this section have been satisfied.

17.136.040 Approval standards.

A. The decision to approve, approve with modification or deny, shall be based on the following criteria:

17 SCAPPOOSE INDUSTRIAL ANNEXATION | 3J CONSULTING, INC.

1. All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area;
2. The impact upon public services which include but are not limited to police and fire protection, schools and public transportation to the extent that they shall not be unduly compromised;
3. The need for housing, employment opportunities and livability in the city and surrounding areas;
4. The location of the site in relation to efficient provision of public facilities, services, transportation, energy conservation, urbanization and social impacts.

Applicant's Finding: The site appears to have the ability to access urban sewer and water services which are located to the south of the site. Any future development of the property will be required to manage any stormwater run-off at levels required by the City's public works standards. Police and fire services will not be impacted by the annexation of the property as the site is currently included within the City's comprehensive planning boundary. The zoning designation for the site is light industrial and will not create any new direct impact to the City's school or park facilities.

The annexation of the territory will provide opportunities for future employment within the City and overall economic development. The potential for the provision of local construction jobs and longer term local employment will benefit the City and the City's overall economy. The requirements of this section have been satisfied.

17.136.050 Application submission requirements.

- A. All applications shall be made on forms provided by the planner and shall be accompanied by:
 1. Copies of the annexation area, conceptual development plan(s) and necessary data or narrative (number to be determined at the pre application conference), which explains how the annexation conforms to the standards: a. Sheet size for an annexation area, conceptual development plan and required drawings shall not exceed eighteen inches by twenty-four inches, and b. The scale of the required drawings shall be an engineering scale.
 2. A list of the names and addresses of all who are property owners of record and whose property is within two hundred feet of the site;

Applicant's Finding: The required notification labels and the required copies of the submission materials have been included within this submission. The requirements of this section have been satisfied.

- B. The required information may be combined and does not have to be placed on separate maps.
- C. The annexation area plan, data and narrative shall include the following:
 1. A map to an engineering scale of the area to be annexed which includes the surrounding area;
 2. A map of the area to be annexed including adjacent city territory as shown on the Columbia County assessor map;
 3. A legal description of the annexation area including a map;
 4. A statement of the availability, capacity and status of existing water, sewer, drainage, transportation, park, police and fire service, and school facilities;
 5. A statement of the increased demand for such facilities to be generated by any proposed development within the annexation area; and



6. A conceptual development plan which includes:
 - a. The type of intensities (density) of the proposed land use,
 - b. Transportation corridors,
 - c. Significant natural features, and
 - d. Adjoining land uses.

Applicant's Finding: The Applicant has provided within this document: a vicinity map, a legal description, a statement of the availability of urban services, as well as plans showing the site's location in relation to the City's existing zoning and comprehensive plan maps (Figures 1 and 2). The Applicant has not yet prepared a conceptual development plan for the property as several issues related to access and use of the property still need to be settled. The Applicant will submit a conceptual development plan for the City's review prior to any proposed development on site. The requirements of this section have been satisfied.

17.136.070 Zoning upon annexation. Upon annexation, the area annexed shall be automatically zoned to the corresponding land use zoning classification as shown in the table below. The zoning designation shown on the table below is the City's zoning district which most closely implements the City's comprehensive plan map designation.

Applicant's Finding: The comprehensive plan designation for the site is I, Industrial. The property is scheduled to receive an automatic Light Industrial designation upon annexation. The Applicant's request is consistent with this requirement.

CHAPTER 17.162 – PROCEDURES FOR DECISION MAKING – QUASI-JUDICIAL

17.162.020 Application process.

Applicant's Finding: The Applicant formally waived the need for a pre-application conference, however, the owners of the property and the owner's representatives have met with and coordinated the submission of this application for annexation with the City's staff. The City application form, fee, and required submittal items are included with this petition to annex. The Applicant understands that the City will review the package for completeness, and may require additional information prior to deeming the application complete and proceeding with the review process. The Application materials supplied with this petition satisfy the requirements of this section.

SUMMARY AND CONCLUSION

Based upon the materials submitted herein, the Applicant respectfully requests that the City's Staff, Planning Commission, and City Council determine that this proposal meets all required criteria. The Applicant further respectfully requests that the annexation of this property be placed before the City's Electorate.



**First American Title Company of Oregon
National Commercial Services**

200 SW Market Street, Suite 250 • Portland, OR 97201

Office Phone:(503)795-7600 Office Fax:(866)678-0591

Buyer's Final Settlement Statement

Property: APN 5420, 5441, 5428, OR
Lot: 600, 1700, and 3100

File No: NCS-648655-OR1

Officer: Rachael Rodgers/AF

Settlement Date: 02/17/2015


Disbursement Date: 02/17/2015

Print Date: 02/17/2015, 12:38 PM

Buyer: Scappoose Holding LLC
Address: 4426 SW Hillside Drive, Portland, OR 97221
Seller: Umpqua Bank
Address: 1 SW Columbia Street, Suite 1400, Portland, OR 97258
Lender:
Address:
New Loan No.:

Charge Description	Buyer Charge	Buyer Credit
Consideration:		
Total Consideration	250,000.00	
Deposits in Escrow:		
Receipt No. 503125947 on 01/30/2015 by DJ2 Holdings Inc		10,000.00
Receipt No. 503126029 on 02/13/2015 by DJ2 Holdings Inc.		235,288.39
Adjustments:		
Deferred Taxes 5420		13,123.90
Deferred Taxes 5428		496.64
Deferred Taxes 5441		2,876.38
Prorations:		
County Tax 5420 02/17/15 to 07/01/15 @\$24194.62/yr	8,882.41	
County Tax 5428 02/17/15 to 07/01/15 @\$911.51/yr	334.64	
County Tax 5441 02/17/15 to 07/01/15 @\$3922.77/yr	1,440.14	
Title/Escrow Charges to:		
Closing-Escrow Fee (50/50) to First American Title Company of Oregon National Commercial Services	725.00	
Overnight Delivery Service to First American Title Company of Oregon National Commercial Services	10.00	
Record Bargain and Sale Deed (50/50) 2015-001115 to First American Title Company of Oregon National Commercial Services	38.00	
Cash (From) (X To) Buyer	355.12	
Totals	261,785.31	261,785.31

First American Title Company of Oregon National
Commercial Services

By 
Rachael Rodgers

APN: 5420

Bargain and Sale Deed
- continued

File No.: NCS-648655-OR1 (RR)
Date: 10/02/2014



After recording return to:
Scappoose Holding LLC
4426 SW Hillside Drive
Portland, OR 97221

Until a change is requested all tax
statements shall be sent to the
following address:
Scappoose Holding LLC
4426 SW Hillside Drive
Portland, OR 97221

File No.: NCS-648655-OR1 (RR)
Date: October 02, 2014

THIS SPACE RESERVED FOR RECORDER'S USE

CERTIFIED TO BE A TRUE AND CORRECT
COPY OF THE ORIGINAL RECORDED
ON 2-7-15
IN/AS COLUMBIA CO. #2015-001115

FIRST AMERICAN TITLE INSURANCE
COMPANY, Escrow Department

By [Signature]

STATUTORY BARGAIN AND SALE DEED

Umpqua Bank, Grantor, conveys to **Scappoose Holding LLC**, an Oregon limited liability company, Grantee, the following described real property:


See Legal Description attached hereto as Exhibit A and by this reference incorporated herein

The true consideration for this conveyance is **\$250,000.00**. (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 6 day of February, 2015.

Umpqua Bank


By: Sam Teyema, Vice President

STATE OF Oregon)
)ss.
County of Multnomah)

This instrument was acknowledged before me on this 6 day of February, 2015
by Sam Teyema as Vice President of Umpqua Bank, on behalf of the Bank.

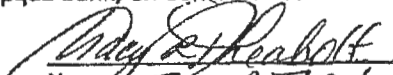

Name Tracy R Theabolt
Notary Public for Oregon
My commission expires: February 05, 2017



Exhibit A

Real property in the County of Columbia, State of Oregon, described as follows:

PARCEL 1: A PARCEL OF LAND LYING IN THE TIMOTHY LAMBERSON DONATION LAND CLAIM OF SECTIONS 1 AND 2, TOWNSHIP 3 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON AND BEING SPECIFICALLY ALL THE FOLLOWING DESCRIBED PROPERTY: THE SAID PARCEL BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF THE TIMOTHY LAMBERSON DONATION LAND CLAIM, SAID POINT BEING THE INTERSECTION OF THE CENTER OF SCAPPOOSE CREEK AND SAID WESTERLY LINE OF SAID TIMOTHY LAMBERSON DONATION LAND CLAIM, SAID POINT ALSO BEING SOUTH 20°01' WEST 674.10 FEET FROM THE NORTHWEST CORNER OF SAID TIMOTHY LAMBERSON DONATION LAND CLAIM IN SECTION 2, TOWNSHIP 3 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON; THENCE ALONG THE CENTER OF SAID SCAPPOOSE CREEK AS FOLLOWS: SOUTH 27°25' EAST A DISTANCE OF 148.36 FEET; THENCE NORTH 46°11' EAST A DISTANCE OF 222.10 FEET; THENCE SOUTH 59°16' EAST A DISTANCE OF 364.70 FEET; THENCE NORTH 75°18' EAST A DISTANCE OF 135.60 FEET; THENCE SOUTH 33°25' EAST A DISTANCE OF 344.0 FEET; THENCE SOUTH 9°35' WEST A DISTANCE OF 232.90 FEET; THENCE SOUTH 81°21' EAST A DISTANCE OF 131.20 FEET ; THENCE NORTH 84°27' EAST A DISTANCE OF 184.35 FEET; THENCE SOUTH 84°13' EAST A DISTANCE OF 241.12 FEET TO THE WEST LINE OF THAT TRACT OF LAND CONVEYED BY THE UNITED STATES NATIONAL BANK OF PORTLAND TO JASPER E. YOUNG BY DEED RECORDED IN BOOK 45, PAGE 287, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE SOUTH ALONG THE WEST LINE OF SAID JASPER E. YOUNG TRACT AND CONTINUATION THEREOF TO THE NORTHEASTERLY RIGHT OF WAY LINE OF THE PORTLAND & SOUTHWESTERN RAILROAD; THENCE WESTERLY FOLLOWING SAID NORTHEASTERLY RAILROAD RIGHT OF WAY TO THE WESTERLY LINE OF SAID TIMOTHY LAMBERSON DONATION LAND CLAIM; THENCE NORTH 20°01' EAST ALONG SAID WESTERLY LINE OF SAID TIMOTHY LAMBERSON DONATION LAND CLAIM A DISTANCE OF 112.38 FEET TO THE POINT OF BEGINNING. EXCEPTING THEREFROM THAT TRACT CONVEYED TO WALTER FRISCHMAN ET UX BY DEED RECORDED OCTOBER 9, 1950 IN BOOK 108, PAGE 473, DEED RECORDS OF COLUMBIA COUNTY, OREGON; AND ALSO EXCEPTING TRACT CONVEYED TO ROBERT H. DUDLEY ET UX BY DEED RECORDED MARCH 26, 1962 IN BOOK 148, PAGE 500, DEED RECORDS OF COLUMBIA COUNTY, OREGON.

PARCEL 2: A PARCEL OF LAND LYING IN THE TIMOTHY LAMBERSON DONATION LAND CLAIM IN SECTIONS 1 AND 2, TOWNSHIP 3 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON, AND BEING SPECIFICALLY ALL THE FOLLOWING DESCRIBED PROPERTY: THE SAID PARCEL BEING DESCRIBED A FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF THE TIMOTHY LAMBERSON DONATION LAND CLAIM, SAID POINT BEING THE INTERSECTION OF THE CENTER OF SCAPPOOSE CREEK AND SAID WESTERLY LINE OF SAID TIMOTHY LAMBERSON DONATION LAND CLAIM, SAID POINT ALSO BEING SOUTH 20°01' WEST 674.10 FEET FROM THE NORTHWEST CORNER OF SAID TIMOTHY LAMBERSON DONATION LAND CLAIM IN SECTION 2, TOWNSHIP 3 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON; THENCE ALONG THE CENTER OF SAID SCAPPOOSE CREEK AS FOLLOWS: SOUTH 27°25' EAST A

DISTANCE OF 148.36 FEET; THENCE NORTH 46°11' EAST A DISTANCE OF 222.10 FEET; THENCE SOUTH 59°16' EAST A DISTANCE OF 364.70 FEET; THENCE NORTH 75°18' EAST A DISTANCE OF 135.60 FEET; THENCE SOUTH 33°25' EAST A DISTANCE OF 344.0 FEET; THENCE SOUTH 9°35' WEST A DISTANCE OF 232.90 FEET; THENCE SOUTH 81°21' EAST A DISTANCE OF 131.20 FEET; THENCE NORTH 84°27' EAST A DISTANCE OF 184.35 FEET; THENCE SOUTH 84°13' EAST A DISTANCE OF 241.12 FEET TO THE WEST LINE OF THAT TRACT OF LAND CONVEYED BY THE UNITED STATES NATIONAL BANK OF PORTLAND TO JASPER E. YOUNG BY DEED RECORDED IN BOOK 45, PAGE 287, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE SOUTH ALONG THE WEST LINE OF SAID JASPER E. YOUNG TRACT A DISTANCE OF 30.15 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 67°43' EAST ALONG THE SOUTHERLY LINE OF SAID JASPER E. YOUNG TRACT A DISTANCE OF 410.42 FEET; THENCE SOUTH TO THE NORTH LINE OF PARCEL 2 CONVEYED TO ALBERT BRAWAND BY DEED RECORDED MAY 3, 1956 IN BOOK 128, PAGE 484, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE NORTH 82°53' WEST A LONG THE NORTH LINE OF SAID BRAWAND TRACT TO THE NORTHEASTERLY RIGHT OF WAY LINE OF THE PORTLAND AND SOUTHWESTERN RAILROAD; THENCE WESTERLY ALONG THE SAID NORTHEASTERLY RAILROAD RIGHT OF WAY TO A POINT THAT IS DUE SOUTH OF THE TRUE POINT OF BEGINNING; THENCE NORTH TO THE TRUE POINT OF BEGINNING.

PARCEL 3: A PARCEL OF LAND LYING IN THE TIMOTHY LAMBERSON DONATION LAND CLAIM IN SECTIONS 1 AND 2, TOWNSHIP 3 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON, AND BEING SPECIFICALLY ALL THE FOLLOWING DESCRIBED PROPERTY: THE SAID PARCEL BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF THE TIMOTHY LAMBERSON DONATION LAND CLAIM, SAID POINT BEING THE INTERSECTION OF THE CENTER OF SCAPPOOSE CREEK AND SAID WESTERLY LINE OF SAID TIMOTHY LAMBERSON DONATION LAND CLAIM, SAID POINT ALSO BEING SOUTH 20°01' WEST 674.01 FEET FROM THE NORTHWEST CORNER OF SAID TIMOTHY LAMBERSON DONATION LAND CLAIM IN SECTION 2, TOWNSHIP 3 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON; THENCE ALONG THE CENTER OF SAID SCAPPOOSE CREEK AS FOLLOWS: SOUTH 27°25' EAST A DISTANCE OF 148.36 FEET; THENCE NORTH 46°11' EAST A DISTANCE OF 222.10 FEET; THENCE SOUTH 59°16' EAST A DISTANCE OF 364.70 FEET; THENCE NORTH 75°18' EAST A DISTANCE OF 135.60 FEET; THENCE SOUTH 33°25' EAST A DISTANCE OF 344.0 FEET; THENCE SOUTH 9°35' WEST A DISTANCE OF 232.90 FEET; THENCE 81°21' EAST A DISTANCE OF 131.20 FEET; THENCE NORTH 84°27' EAST A DISTANCE OF 184.35 FEET; THENCE SOUTH 84°13' EAST A DISTANCE OF 241.12 FEET TO THE WEST LINE OF THAT TRACT OF LAND CONVEYED BY UNITED STATES NATIONAL BANK OF PORTLAND TO JASPER E. YOUNG BY DEED RECORDED IN BOOK 45, PAGE 287, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE SOUTH ALONG THE WEST LINE OF SAID JASPER E. YOUNG TRACT A DISTANCE OF 30.15 FEET; THENCE SOUTH 67°43' EAST ALONG THE SOUTHERLY LINE OF SAID JASPER E. YOUNG TRACT A DISTANCE OF 410.42 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 85°44' EAST ALONG THE SOUTH LINE OF SAID JASPER E. YOUNG TRACT A DISTANCE OF 1315.98 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE COLUMBIA RIVER HIGHWAY; THENCE SOUTH 3°40'30" EAST ALONG SAID WESTERLY RIGHT OF WAY LINE OF SAID COLUMBIA RIVER HIGHWAY A DISTANCE OF 670.60 FEET, SAID POINT BEING 40.00 FEET DISTANT WHEN MEASURED AT RIGHT ANGLES, FROM HIGHWAY ENGINEER'S CENTERLINE STATION 964+30; THENCE NORTH 82°53' WEST TO A POINT THAT IS DUE

SOUTH OF THE POINT OF BEGINNING; THENCE NORTH TO THE TRUE POINT OF BEGINNING. EXCEPTING THEREFROM A TRACT CONVEYED TO HOMER A. GRISWOLD ET UX BY DEED RECORDED SEPTEMBER 6, 1950 IN BOOK 108, PAGE 254, DEED RECORDS OF COLUMBIA COUNTY, OREGON.

PARCEL 4: A PARCEL OF LAND IN SECTION 1, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS SOUTH 1393.8 FEET AND EAST 3827.8 FEET FROM THE SOUTHWEST CORNER OF THE TIMOTHY LAMBERSON DONATION LAND CLAIM, COLUMBIA COUNTY, OREGON; THENCE NORTH 3° 40 1/2' WEST 1505.30 FEET TO THE SOUTHEAST CORNER OF TRACT EXCEPTED IN DEED AS DESCRIBED IN DEED TO ALBERT BRAWAND, RECORDED DECEMBER 12, 1967 IN BOOK 167, PAGE 556, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE NORTH 80°41' WEST A DISTANCE OF 363.36 FEET TO A POINT THAT IS NORTH 11°45' EAST FROM THE NORTHEAST CORNER OF TRACT DESCRIBED IN DEED TO ALBERT BRAWAND RECORDED DECEMBER 17, 1968 IN BOOK 171, PAGE 902, DEED RECORDS OF COLUMBIA COUNTY, OREGON, AND THE TRUE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED TRACT; THENCE SOUTH 11°45' WEST TO THE NORTHEAST CORNER OF SAID BRAWAND TRACT AS DESCRIBED IN SAID DEED BOOK 171, PAGE 902; THENCE NORTH 82°53' WEST A DISTANCE OF 28.8 FEET TO A POINT; THENCE NORTH 83°15' WEST A DISTANCE OF 277.85 FEET TO A POINT, SAID POINT BEING ON THE WEST LINE OF THE HOMER A. GRISWOLD ET UX TRACT AS DESCRIBED IN DEED RECORDED SEPTEMBER 6, 1950 IN BOOK 108, PAGE 254, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE NORTH 3° 35' WEST ALONG THE WEST LINE OF SAID GRISWOLD TRACT A DISTANCE OF 166.1 FEET TO THE SOUTHWEST CORNER OF THE ROY E. BAKER ET AL TRACT AS DESCRIBED IN DEED RECORDED MAY 15, 1974 IN BOOK 196, PAGE 231, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE SOUTH 58°37' EAST ALONG THE SOUTH LINE OF SAID BAKER ET AL TRACT A DISTANCE OF 338.57 FEET TO THE MOST SOUTHERLY SOUTHEAST CORNER OF SAID BAKER ET AL TRACT; THENCE NORTH 7°05' EAST ALONG THE EAST LINE OF SAID BAKER ET AL TRACT, A DISTANCE OF 11.1 FEET TO THE SOUTHWEST CORNER OF THE RIESTERER LUMBER PRODUCTS TRACT AS DESCRIBED IN INSTRUMENT RECORDED OCTOBER 10, 1966 IN BOOK 163, PAGE 106, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE SOUTH 80° 41' EAST ALONG THE SOUTH LINE OF SAID RIESTERER LUMBER PRODUCTS TRACT TO THE TRUE OF BEGINNING.

PARCEL 5: A TRACT IN SECTION 1, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE COLUMBIA RIVER HIGHWAY, WHERE SAID WESTERLY RIGHT OF WAY LINE INTERSECTS THE NORTHERLY RIGHT OF WAY LINE OF THE PORTLAND & SOUTHWESTERN RAILROAD, SAID POINT BEING 40.0 FEET DISTANT (WHEN MEASURED AT RIGHT ANGLES) FROM HIGHWAY ENGINEERS CENTERLINE STATION 979+15.7; SAID POINT ALSO BEING SOUTH 1393.8 FEET AND EAST 3827.7 FEET FROM THE SOUTHWEST CORNER OF THE TIMOTHY LAMBERSON DONATION LAND CLAIM; THENCE NORTH 3°40'30" WEST PARALLEL TO AND 40.0 FEET DISTANT (WHEN MEASURED AT RIGHT ANGLES) FROM THE CENTERLINE OF THE COLUMBIA RIVER HIGHWAY

A DISTANCE OF 1485.7 FEET AND NORTH 82°53' WEST 433.22 FEET TO THE TRUE POINT OF BEGINNING FOR THE FOLLOWING DESCRIBED PROPERTY; THENCE SOUTH 17°23' WEST A DISTANCE OF 840.74 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SAID PORTLAND & SOUTHWESTERN RAILROAD; THENCE NORTH 37°07' WEST ALONG SAID RAILROAD RIGHT OF WAY LINE A DISTANCE OF 821.22 FEET; THENCE ALONG SAID RAILROAD RIGHT OF WAY LINE ON A 2889.79 FOOT RADIUS CURVE LEFT, THE LONG CHORD OF WHICH BEARS NORTH 40°18' WEST A DISTANCE OF 352.33 FEET; THENCE SOUTH 82°53' EAST A DISTANCE OF 982.16 FEET TO THE POINT OF BEGINNING. EXCEPTING THEREFROM TRACT DESCRIBED IN INSTRUMENT RECORDED SEPTEMBER 24, 1971 IN BOOK 183, PAGE 697, DEED RECORDS OF COLUMBIA COUNTY, OREGON. ALSO EXCEPTING THEREFROM TRACTS DESCRIBED IN DEEDS TO THEODORE F. OTTIS ET UX, RECORDED OCTOBER 5, 1971 IN BOOK 183, PAGE 874, AND RECORDED OCTOBER 6, 1971 IN BOOK 183, PAGE 892, DEED RECORDS OF COLUMBIA COUNTY, OREGON.

PARCEL 6: A 50 FOOT RIGHT OF WAY EASEMENT AS RESERVED IN CONTRACT RECORDED IN BOOK 183, PAGE 697, DEED RECORDS OF COLUMBIA COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS SOUTH 1393.8 FEET AND EAST 3827.8 FEET FROM SOUTHWEST CORNER OF THE TIMOTHY LAMBERSON DONATION LAND CLAIM IN SECTION 1, TOWNSHIP 3 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON; THENCE NORTH 3° 40 1/2' WEST 1505.3 0 FEET TO THE SOUTHEAST CORNER OF TRACT EXCEPTED IN DEED AS DESCRIBED IN DEED TO ALBERT BRAWAND RECORDED DECEMBER 12, 1967 IN BOOK 167, PAGE 556, DEED RECORDS OF COLUMBIA COUNTY, OREGON, AND THE TRUE POINT OF BEGINNING; THENCE NORTH 80° 41' WEST A DISTANCE OF 363.36 FEET TO A POINT THAT IS NORTH 11° 45' EAST FROM THE NORTHEAST CORNER OF TRACT DESCRIBED IN DEED TO ALBERT BRAWAND RECORDED DECEMBER 17, 1968 IN BOOK 171, PAGE 902, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE SOUTH 11° 45' WEST TO THE NORTHEAST CORNER OF SAID BRAWAND TRACT AS DESCRIBED IN DEED IN BOOK 171, PAGE 902, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE NORTH 82° 53' WEST A DISTANCE OF 28.8 FEET TO A POINT; THENCE NORTH 83° 15' WEST A DISTANCE OF 277.85 FEET TO A POINT; THENCE SOUTH 0° 17' WEST TO A POINT WHICH IS 50.0 FEET, WHEN MEASURED AT RIGHT ANGLES, FROM THE PROLONGATION NORTH 80° 41' WEST OF THE SOUTH LINE OF SAID TRACT EXCEPTED AS DESCRIBED IN DEED IN BOOK 167, PAGE 556, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE SOUTH 80° 41' EAST TO A POINT WHICH BEARS SOUTH 3° 40 1/2' EAST OF THE TRUE POINT OF BEGINNING; THENCE NORTH 3° 40 1/2' WEST TO THE TRUE POINT OF BEGINNING; EXCEPTING THEREFROM THAT PORTION LYING WITHIN THE COLUMBIA RIVER HIGHWAY.



First American Title Company of Oregon

National Commercial Services

200 SW Market Street, Suite 250

Portland, OR 97201

ESCROW AGREEMENT (SALE)

Escrow No. NCS-648655-OR1
Seller: Umpqua Bank
Buyer: Scappoose Holding LLC
Property Address: APN 5420, 5441, 5428,
OR

TRANSACTION INSTRUCTIONS

To First American Title Insurance Co. hereinafter "Escrow Agent"

Property Description: As set forth in Preliminary Title Report issued by First American Title Insurance Co. Order No. NCS-648655-OR, dated January 14, 2015, a copy of which has been **read and approved by Seller and Buyer.**

SELLER deposits with Escrow Agent, pursuant to these instructions, the following:

1. Fully executed bargain and sale deed in favor of the buyer
2. Estimated Settlement Statement
3. FIRPTA
4. 1099-S
5. Owner's Affidavit
6. Oregon Withholding

And authorizes delivery, release, and recording of documents when you hold for the account of the Seller the sum of \$250,000.00 as shown on the attached Estimated Closing Statement, and, further authorizes credits and deductions as set forth on the attached Estimated Closing Statement.

BUYER deposits with Escrow Agent, pursuant to these instructions, the following:

1. The sum of \$250,000.00 subject to debits and credits as shown on the estimated closing statement
2. Read and Approved Bargain and Sale Deed
3. Estimated Settlement Statement

And authorizes delivery, release and recording of documents when you are prepared to:

1. Issue an Owner's Title Insurance Policy (ALTA 2006) in standard form in the amount of the sales price insuring purchaser as the owner of that certain real property described above, subject to exclusions, conditions and stipulations as contained in the policy and special exceptions #1-5, 7-12 as appear on the preliminary title report above.
2. Issue any form of Lender's Title Insurance Policy as required by Lender's instructions.

And, further authorizes a) recording and/or release of any documents required by or on behalf of Lender, including, without limitation, to recording prior to the receipt of loan proceeds; b) credits and deductions as set forth on the attached Estimated Closing Statement.

AUTHORIZATIONS

COUNTERPARTS: These instructions may be signed in counterparts. Escrow Agent may consider, upon receipt, all duly executed counterparts to be a single instruction.

FAX: Escrow Agent is authorized to complete all necessary actions set forth herein upon receipt of a signed facsimile (FAX) of these instructions without receipt of original signed instructions.

ELECTRONIC TRANSFER: Escrow Agent may, in its discretion, receive and/or disburse any funds in connection with this agreement by electronic (wire) transfer. If required by any of the parties to utilize this method of transfer, the requesting party agrees to pay any reasonable fee as assessed by Escrow Agent for this service.

DEPOSITS: All checks, money orders or drafts will be processed for collection in the normal course of business. All funds required to close must be payable to First American Title Insurance Co. and must be **collected funds**, as required by Federal and State of Oregon statutes and regulations prior to the Escrow Agent's disbursement of any sums. Escrow Agent may commingle funds received by it with escrow funds of others, and may, without limitation, deposit such funds in its custodial or escrow accounts with any reputable trust company, bank, savings bank, savings association or other financial services entity. It is understood that Escrow Agent, except by virtue of separate signed instructions as required by State of Oregon regulation, shall be under no obligation to invest the funds deposited on behalf of any depositor, nor shall it be accountable for any earnings or incidental benefit attributable to the funds which may be received by Escrow Agent while it holds such funds.

The undersigned are hereby informed that Escrow Agent deposits all funds into a non-interest bearing account and receives or may receive certain credits and benefits including, without limitation, checks, deposit slips, data processing and account services from or through various financial entities as a result of the banking relationships maintained in the regular course of its escrow and title insurance business. The undersigned hereby waive any and all rights or claims with respect to such credits and benefits received by the Escrow Agent or any affiliates thereof. A good faith estimate of the benefits received by Escrow Agent is \$30.00 per escrow transaction. This disclosure is made in compliance with Oregon Administrative Rule 863-50-065.

Any funds remaining on deposit after closing or refunds received by Escrow Agent will be refunded to the party whose account was charged. No further instructions will be required by any party prior to the disbursement of any such refund by Escrow Agent.

Escrow Agent will retain any excess funds after disbursement as part of the closing of this transaction. Escrow Agent will charge an accounting fee for each month such funds are held after one (1) month, in the event the person(s) entitled to such funds cannot, after reasonable and diligent effort, be found. Escrow Agent may charge a reasonable fee for replacement and/or stale dated checks.

COPIES: The undersigned authorize distribution of these escrow instructions and/or estimated or final closing statements prepared on my behalf to any designee, real estate broker/agent or lender identified in this transaction.

CLOSING: Closing is defined, for purposes of this agreement, as the time of the recording of all documents as required by the parties herein. Escrow Agent shall be entitled to payment of all fees charged for services provided at the time of closing. Any funds held for satisfaction/release of liens and encumbrances or to meet other conditions of this escrow may be transferred from this escrow account to an appropriate department or escrow for subsequent processing.

AGREEMENTS

ARBITRATION: Except as noted below, if any dispute or claim arises out of or relates to this escrow agreement, or to the interpretation or breach thereof, Escrow Agent may, at its election; a) hold all matters in its existing status pending resolution of such dispute or; b) it shall be resolved by arbitration in accordance with the then effective rules of the Arbitration Service of Portland, Inc. or the American Arbitration Association, which ever is selected by the party which first initiates arbitration, and any judgment rendered pursuant to such arbitration may be entered in any court having jurisdiction thereof.

INTERPLEADER: Escrow Agent shall have the option of interpleading funds in the Circuit Court of Oregon, including the Small Claims division of the same, as may be appropriate, in the event of a dispute regarding the disposition of any funds held by Escrow Agent.

ATTORNEY FEES: In the event suit or action is brought, or an arbitration proceeding is initiated, to enforce or interpret any of the provisions of this agreement, or which is based thereon, the prevailing party shall be entitled to reasonable attorney's fees in connection herewith. The determination of who are the prevailing party and the amount of reasonable attorney fees shall be decided by the arbitrator(s) or by the court as may be appropriate.

LIMITED POWER OF ATTORNEY: The undersigned hereby grant Escrow Agent Limited Power of Attorney to correct and Initial all typographical or clerical errors discovered in any or all of the closing documentation required to be executed by any of the parties hereto. In the event Escrow Agent exercises this Limited Power of Attorney, a copy of the Document(s) corrected and/or initialed will be sent to the affected party.

EXCLUSIONS

COMPLIANCE WITH VARIOUS LAWS OR STATUTES: Escrow Agent has no liability or responsibility with respect to any matters connected with the following (unless expressly authorized herein or by separate written instructions acknowledged by Escrow Agent);

1. Compliance with the requirements of the Consumer Credit Protection Act or Interstate Land Sales Act, or similar laws;
2. Compliance with the requirements of the Oregon Revised Statutes 537.330 (relating to water rights), 537.788 (relating to well information), 448.271 (relating to well testing) and any similar laws;
3. Compliance with Oregon Laws 2001 Chapter 311 (relating to cautionary notice or other information as applicable regarding potential construction liens)
4. Compliance with the obligation to disclose the existence of lead based paint as required by federal regulation 24 CFR Part 35 and 40 CFR Part 35 et seq and any other related statute or regulation;
5. Compliance with, collection, withholding, reporting or payment of any amounts due under Section 1445 and 6039C of the Internal Revenue Code, as amended, regulations adopted there under, and any other related statute or regulation (Foreign Investment in Real Property Tax Act, commonly referred to as FIRPTA). Notwithstanding the fact Escrow Agent assumes no liability or responsibility to the parties for compliance with FIRPTA, Escrow Agent reserves the right to take any action required by such law and/or regulation without further instructions of the parties.

REPRESENTATIONS

UTILITIES: The undersigned acknowledge that water, sewer, waste collection, electricity, and other utility charges and inventory for fuel, including any final billings will be adjusted outside this escrow by the respective parties and Escrow Agent shall have no obligation or responsibility for such adjustment.

DOCUMENTS: The undersigned acknowledge that they have and shall have a continuing obligation to cooperate with Escrow Agent in good faith to enable Escrow Agent to fulfill its responsibilities under this agreement. Such obligations shall survive the closing of the transaction described herein and shall include, without limitation, the obligation to; a) disclose to Escrow Agent any liens, encumbrances or any other rights, claims or matters known to the parties which affect or relate to the property and transaction referred to in this agreement, and b) return to Escrow Agent for proper disposition any fund, documents or other property which are, for any reason, improperly or mistakenly released to any persons.

PRACTICE OF LAW/ADVICE: The undersigned acknowledge that Escrow Agent is not licensed to practice law and that Escrow Agent's duties and obligations under this agreement are limited to those of an escrow holder. The undersigned have not been referred to a any named attorney(s) or discouraged from seeking the advice of an attorney but have been requested to seek legal counsel of their own choosing, at their own expense, if they have any doubts or questions concerning any aspect of this transaction.

OTHER OBLIGATIONS: The undersigned acknowledge that, to the extent other obligations exist between them as a result of this transaction that are not specifically set forth herein, they are individually responsible for the execution thereof and Escrow Agent is only obligated for matters specifically set forth in this agreement.

REVIEW: The undersigned acknowledge that they have been afforded adequate time and opportunity to read and understand the escrow instructions and all other documents referred to herein.

YOU WILL BE REVIEWING, APPROVING AND SIGNING IMPORTANT DOCUMENTS AT CLOSING. LEGAL CONSEQUENCES FOLLOW FROM THE SELECTION AND USE OF THESE DOCUMENTS. THESE CONSEQUENCES AFFECT YOUR RIGHTS AND OBLIGATIONS. YOU MAY CONSULT AN ATTORNEY ABOUT THESE DOCUMENTS. YOU SHOULD CONSULT AN ATTORNEY IF YOU HAVE QUESTIONS OR CONCERNS ABOUT THE TRANSACTION OR ABOUT THE DOCUMENTS. IF YOU WISH TO REVIEW TRANSACTION DOCUMENTS THAT YOU HAVE NOT YET SEEN, PLEASE CONTACT THE ESCROW AGENT.

IT IS UNDERSTOOD BY THE PARTIES SIGNING THE ABOVE ESCROW INSTRUCTIONS OR THOSE ESCROW INSTRUCTIONS WHICH ARE ATTACHED HERETO THAT SUCH INSTRUCTIONS CONSTITUTE THE WHOLE AGREEMENT BETWEEN THIS FIRM AS AN ESCROW AGENT AND YOU AS A PRINCIPAL TO THE ESCROW TRANSACTION. THESE INSTRUCTIONS MAY NOT INCLUDE ALL THE TERMS OF THE AGREEMENT WHICH IS THE SUBJECT OF THIS ESCROW. READ THESE INSTRUCTIONS CAREFULLY AND DO NOT SIGN THEM UNLESS THEY ARE ACCEPTABLE TO YOU.

Dated February 05, 2015

Umpqua Bank

Scappoose Holding LLC, an Oregon limited liability company



By: Sam Teyema, Vice President

By: _____
Title: _____

ACCEPTED: First American Title Insurance Co.

By: Escrow Officer

PRACTICE OF LAW/ADVICE: The undersigned acknowledge that Escrow Agent is not licensed to practice law and that Escrow Agent's duties and obligations under this agreement are limited to those of an escrow holder. The undersigned have not been referred to a any named attorney(s) or discouraged from seeking the advice of an attorney but have been requested to seek legal counsel of their own choosing, at their own expense, if they have any doubts or questions concerning any aspect of this transaction.

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Dated February 10, 2015

Umpqua Bank

Scappoose Holding LLC, an Oregon limited liability company

By: Sam Teyema, Vice President



By: Darren M. Welborn, Manager

ACCEPTED: First American Title Insurance Co.



By: Escrow Officer



First American Title Company of Oregon

National Commercial Services

200 SW Market Street, Suite 250, Portland, OR 97201

(503)795-7608 - Fax (866)406-9291

SUPPLEMENTAL ESCROW INSTRUCTIONS

To: **First American Title Company of Oregon National
Commercial Services**

02/13/2015

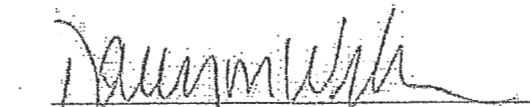
File No: **NCS-648655-OR1 (RR)**

Re: **APN 5420, 5441, 5428, OR**

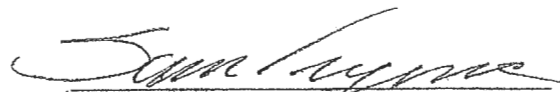
Buyer and Seller acknowledge and agree that Seller has appealed the property tax assessment for the 2014-2015 tax year. If Seller or Buyer receives a 2014-2015 property tax refund, the property tax refund amount shall be applied to the cost of the property tax appeal with the balance of the property tax refund being prorated to Seller and Buyer as of the closing date outside of escrow.

ALL OTHER TERMS AND CONDITIONS OF THIS ESCROW WILL REMAIN THE SAME.

Scappoose Holding LLC, an Oregon limited
liability company


By: Darren M. Welborn, Manager

Umpqua Bank


By: Sam Teyema, Vice President



First American Title Company of Oregon

National Commercial Services

200 SW Merkel Street, Suite 250 • Portland, OR 97201

Office Phone: (503) 785-7600 Office Fax: (866) 678-0591

Buyer's Estimated Settlement Statement

Property: APN 5420, 5441, 5428, OR
Lot: 600, 1700, and 3100

File No: NCS-648655-OR1

Officer: Rachael Rodgers/mds

Estimated Settlement Date: 02/13/2015

Disbursement Date:

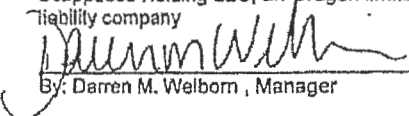
Print Date: 02/10/2015, 1:54 PM

Buyer: Scappoose Holding LLC
Address: 4428 SW Hillside Drive, Portland, OR 97221
Seller: Umpqua Bank
Address: 1 SW Columbia Street, Suite 1400, Portland, OR 97258
Lender:
Address:
New Loan No.:

Charge Description	Buyer Charge	Buyer Credit
Consideration:		
Total Consideration	250,000.00	
Deposits in Escrow:		
Receipt No. 503125947 on 01/30/2015 by DJJ Holdings Inc		10,000.00
Adjustments:		
Deferred Taxes 5420		13,123.90
Deferred Taxes 5428		498.54
Deferred Taxes 5441		2,876.38
Prorations:		
County Tax 5420 02/13/15 to 07/01/15 @\$24194.82/yr	9,147.55	
County Tax 5428 02/13/15 to 07/01/15 @\$911.51/yr	344.83	
County Tax 5441 02/13/15 to 07/01/15 @\$3922.77/yr	1,483.13	
Title/Escrow Charges to:		
Closing-Escrow Fee (50/50) to First American Title Company of Oregon National Commercial Services	725.00	
Overnight Delivery Services to First American Title Company of Oregon National Commercial Services	10.00	
EST Record Bargain and Sale Deed (50/50) to First American Title Company of Oregon National Commercial Services	75.00	
Cash (X From) (To) Buyer		235,288.39
Totals	261,785.31	261,785.31

BUYER(S):

Scappoose Holding LLC, an Oregon limited liability company


By: Darren M. Welborn, Manager

Initials: _____

5 - 15 - 74

BARGAIN & SALE DEED

196 1235

KNOW MEN BY THESE PRESENTS, That Albert Bravand, David B. Moore and Janice L. Moore, Grantors convey to Roy E. Baker and Deloris Lavonne Baker, Husband & Wife, and to John F. Riestorer, Jr. and Scott David Riestorer, as joint tenants and not as tenants in common, with the right of survivorship, the following described real property situated in Columbia County, Oregon, to-wit:

A non-exclusive easement for road purposes described as follows: Beginning at a point which is South 1393.8 feet and East 3427.4 feet from the Southwest corner of the Timothy Lamberson Donation Land Claim in Section 1, Township 3 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon; thence North 3°40' West 1505.30 feet to the Southeast corner of tract excepted in deed as described in deed to Albert Bravand recorded December 12, 1967 in Book 167, page 556, Deed Records of Columbia County, Oregon, and the true point of beginning; thence North 80°41' West a distance of 395.42 feet to the Southwest corner of the John F. Riestorer, Sr. tract as described in deed recorded February 12, 1971 in Book 180, page 223, Deed Records of Columbia County, Oregon; thence South 7°05' West to the North line of the Albert Bravand tract as described in instrument recorded December 17, 1968 in Book 171, page 902, Deed Records of Columbia County, Oregon; thence South 82°53' East to the Easterly right of way line of the Columbia River Highway; thence Northerly along the westerly right of way line of said highway to the point of beginning.

ALSO a non-exclusive easement for road purposes described as follows: A parcel of land from the East end of land described in Book 80, page 176, Deed Records of Columbia County, Oregon, lying adjacent to the Westerly right of way line of the Columbia River Highway in the Timothy Lamberson Donation Land Claim No. 42, in Section 1, Township 3 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon and being more particularly described as follows: Beginning at the Northeast corner of Parcel 1 of land described in Book 91, page 350, Deed Records of Columbia County, Oregon that is North 3°40'30" West 1485.8 feet from a point on the Westerly right of way line of the said Columbia River Highway that intersects the Northerly right of way line of the Portland, Southwestern Railroad Company, the said point of intersection is South 1393.8 feet and East 3527.8 feet of the Southwest corner of the said Timothy Lamberson Donation Land Claim; thence running North 82°53' West 398.56 feet to the Westerly line, if extended South 7°05' West, of the John F. Riestorer, Sr. tract as described in deed recorded February 12, 1971 in Book 180, page 223, Deed Records of Columbia County, Oregon, and the true point of beginning of the following described easement; thence North 83°15' West along the Northerly line of a parcel of land described in Book 91, page 350, Deed Records of Columbia County, Oregon, a distance of 60 feet to a point; thence North 7°05' East to the Southerly line of the John F. Riestorer, Jr. et al tract as described in deed recorded May 15, 1974 in Book 196, page 231, Deed Records of Columbia County, Oregon; thence South 53°37' West along the South line of said Riestorer tract to the Southeast corner thereof; thence South 7°05' West to the true point of beginning.

The true consideration is \$1.00, and the correct address of the grantee is Rt. 2 Box 309, Scappoose, Oregon.

Dated May 15, 1974.

STATE OF OREGON)
County of Columbia)
Personally appeared Albert Bravand, David Moore, & Janice Moore before me and acknowledged the foregoing instrument to be their free and voluntary act.

Albert Bravand
David Moore
Janice Moore

[Signature]
Notary Public for Oregon
My commission expires:

return to J.F. Riestorer
Rt 2 Box 309
Scappoose, Or

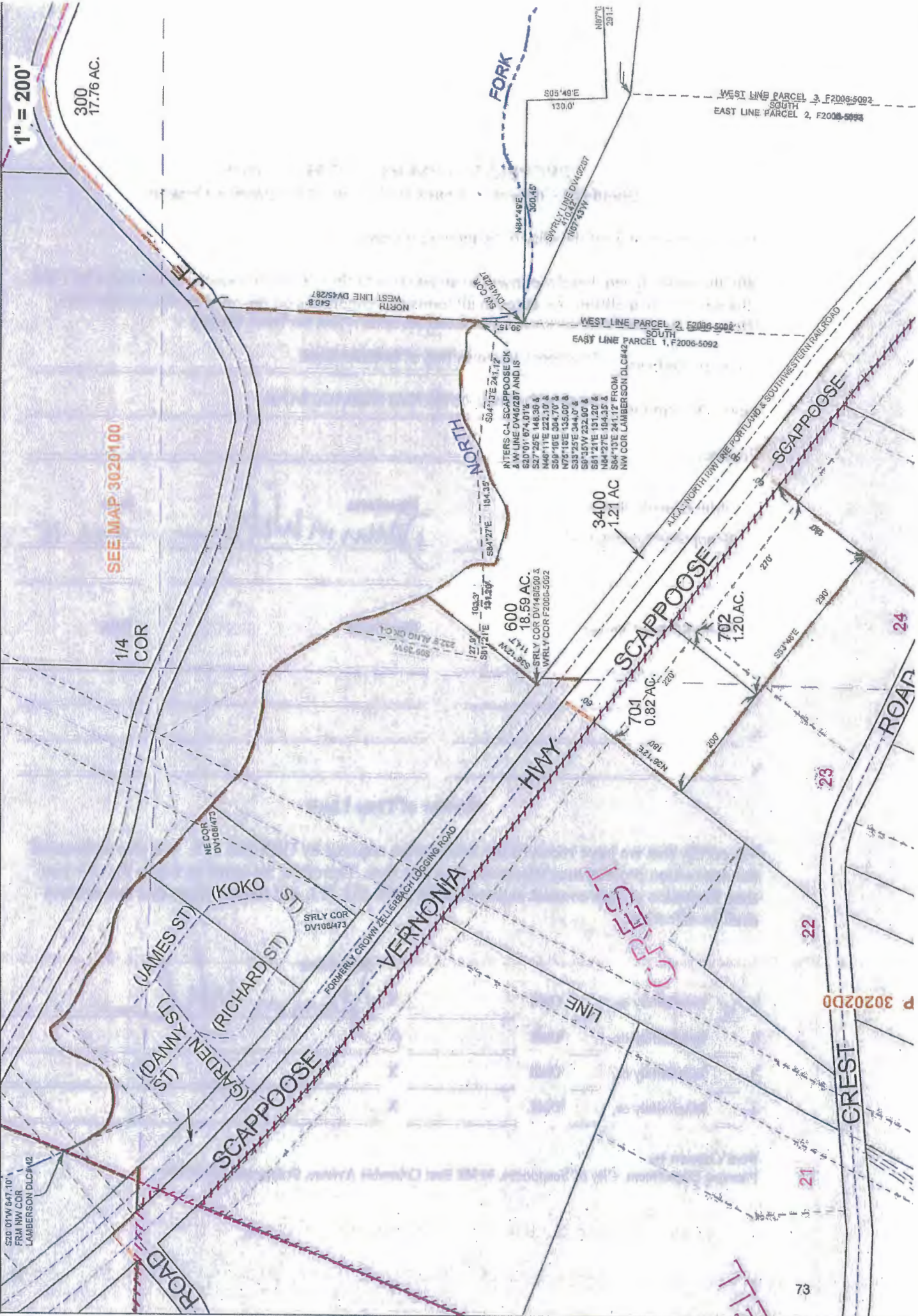
Recorded by
Notary Public
Columbia County, Oregon

S.W. 1/4 SEC. 1 T.3N. R. COLUMBIA COUNTY

0 50 100 200 Feet

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

SEE MAP 3020100



1" = 200'

300
17.76 AC.

WEST LINE PARCEL 3, F2006-5092
SOUTH
EAST LINE PARCEL 2, F2006-5092

WEST LINE PARCEL 2, F2006-5092
SOUTH
EAST LINE PARCEL 1, F2006-5092

ENTERS C-L SCAPOOSE CREEK
& W LINE DV1462287 AND IS
S27°11'E 148.30' &
N46°11'E 222.10' &
S58°10'E 394.70' &
N76°18'E 135.00' &
S33°25'E 344.0' &
S9°35'W 232.00' &
S81°21'E 131.20' &
N84°27'E 104.35' &
S84°10'E 241.12' FROM
NW COR LAMBERSON D1C442

600
18.59 AC.
SRLY COR DV1485000 &
WRLY COR F2005-5092

3400
1.21 AC

701
0.82 AC

702
1.20 AC

S20 01°W 847.10'
FROM NW COR
LAMBERSON D1C442

NE COR
DV1061473

SRLY COR
DV1064473

SRLY COR
DV1064473

SRLY COR
DV1064473

**PROPERTY OWNERS' AND ELECTORS'
Standard Consent to Annex to the City of Scappoose, Oregon**

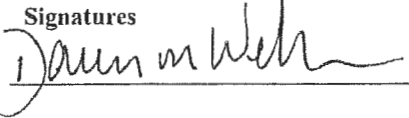
TO: The Council of the City of Scappoose, Oregon

We, the undersigned, hereby consent to annexation to the City of Scappoose as provided by ORS Chapter 222. In addition, we agree to all terms and conditions on the reverse side of this form.
(Please read the standard consent to annex and instructions on the reverse side before signing.)

Property Address: Scappoose Vernonia Hwy at Bellcrest Road

Legal Description: 3N2W1CO 00600, 03100 AND 3N2W1CC 01700

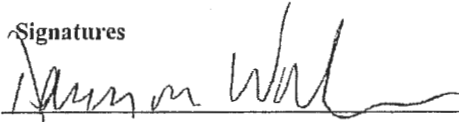
Precinct: _____

Print Owners' Names	Signatures	Date
1. <u>Scappoose Holding LLC</u>	<u></u>	<u>4-22-15</u>
2. _____	_____	_____

Print Electors' Names	Signatures	Date
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____

Waiver of Time Limit

We certify that we have received the information required by ORS 222.175. We also understand the annexation process may take more than one year. Therefore, we agree to waive the one-year time limitation on this consent as provided by ORS 222.173, and further agree that this consent shall be effective:

	Signatures
1. <input checked="" type="checkbox"/> Indefinitely or, _____ Until _____	X <u></u>
2. _____ Indefinitely or, _____ Until _____	X _____
3. _____ Indefinitely or, _____ Until _____	X _____
4. _____ Indefinitely or, _____ Until _____	X _____

Mail Consent to:
Planning Department, City of Scappoose, 33568 East Columbia Avenue, Scappoose, OR 97056

SELECT ONE OF THE FOLLOWING CERTIFICATIONS

FOR PROPERTY OWNERS WHO ARE ALSO REGISTERED ELECTORS:

The undersigned individuals (print names here) _____ warrant that they are registered electors, reside at and are the sole owners of real property addressed as _____ in Columbia County, Oregon, which real property is located outside the corporate limits of the City of Scappoose but within the City's urban growth boundary and that said real property is described by Subdivision Lot and Block, Metes and Bounds or other valid Legal Descriptions as provided on Page 1 hereof.

Dated: _____, 20____ OWNER/ELECTOR: _____

OWNER/ELECTOR: _____

FOR PROPERTY OWNERS WHO ARE NOT REGISTERED ELECTORS:

The undersigned individuals (print names here) Scappoose Holding LLC warrant that they are the sole owners of real property addressed as No Site Address (Tax Lots 3N2W1CO 00600, 03100 AND 3N2W1CC 01700) in Columbia County, Oregon, which real property is located outside the corporate limits of the City of Scappoose but within the City's urban growth boundary and that said real property is described by Subdivision Lot and Block, Metes and Bounds or other valid Legal Descriptions as provided on Page 1 hereof.

Dated: 9/22, 2015 OWNER [Signature]

OWNER _____

FOR ELECTORS WHO ARE NOT PROPERTY OWNERS:

The undersigned individuals (print names here) _____ warrant that they are registered electors residing at _____ in Columbia County, Oregon, which real property is located outside the corporate limits of the City of Scappoose but within the City's urban growth boundary and that said real property is described by Subdivision Lot and Block, Metes and Bounds or other valid Legal Descriptions as provided on Page 1 hereof.

Dated: _____, 20____ ELECTOR _____

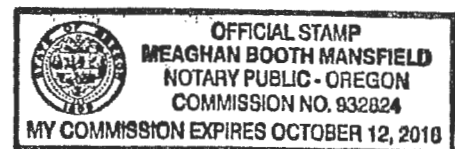
ELECTOR _____

STATE OF OREGON)
County of CLATSOP) ss.

THIS INSTRUMENT was subscribed and sworn to before me on April 22, 2015, by Darren Wellborn

Meaghan Booth Mansfield
NOTARY PUBLIC FOR OREGON

My Commission Expires: October 12, 2018



STANDARD CONSENT TO ANNEX TERMS AND CONDITIONS

1. The City's intent to annex this property is embodied in the City's urban growth boundary and the undersigned and successors in interest agree to waive the requirement that a notice of intent to annex be adopted and any other prerequisite to annexation set forth in state law at the time of annexation.
2. Annexation of this property may take place by any means allowed by state law at the time of annexation, and this consent constitutes an agreement to annexation by any method selected by the City.
3. In the event the type of annexation used involves a written consent to annex, this consent constitutes such consent to annex and shall be used as a consent for each required consent. Further, this consent constitutes an express waiver of the one-year limitation on consent forms and the undersigned intends this consent to be effective as indicated on Page 1. For administrative purposes, the undersigned or successors in interest agree to sign any requested consent forms, waiver of the one-year period, and any other forms required to initiate or accomplish annexation.
4. In the event the type of annexation used involves the right to remonstrate, this consent constitutes a waiver of the right to remonstrate and a remonstrance by anyone having an interest in the property affected by this consent shall be void.
5. Property Owner acknowledges and consents that standard fees may be required to process an annexation and any rezone or comprehensive plan change which may be requested or required.
6. This consent shall run with the land, shall be recorded in the Columbia County records and shall be binding on the undersigned and all successors in interest of the affected property.
7. Should any portion of this consent be declared void by a court of law, the remaining portions of this consent shall remain in full force and effect.

Instructions for signing Consent to Annex

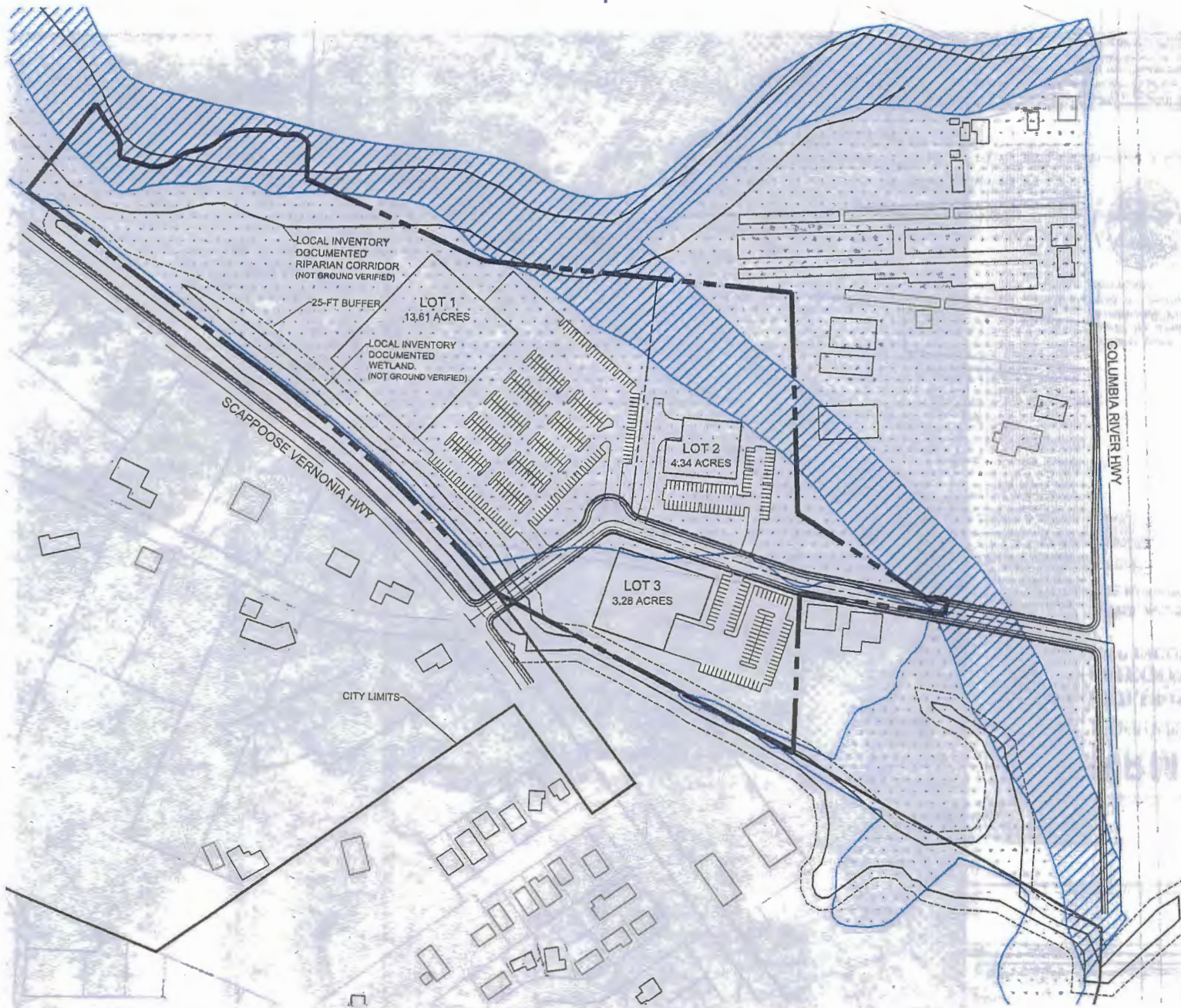
You must be a registered voter at the residential address proposed for annexation to sign as an elector. You must be a registered voter and the property owner (title owner or recorded contract purchaser) to sign as Owner/Elector. You must be the property owner (title owner or recorded contract purchaser) to sign as the owner.

Fill in the addresses of the property and the date you signed the form.

If you are signing as the owner, print your name as it appears on the title or recorded contract. If there is more than one owner, husband and wife, for example, each must sign the form. If you are signing as an elector, print your name as it appears on your Columbia County Oregon Voter Precinct Card.

Oregon state law provides that this consent is valid for one year from the date it is received by the City. However, the actual annexation process may take longer than one year to complete. Therefore, please sign the Waiver of Time Limit to extend the validity of your consent either indefinitely or until a specified date. The waiver must also be signed separately by each owner of record.

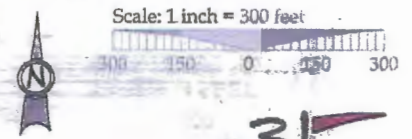
EXHIBIT 4



SITE STATISTICS	
Property:	3N2W 1CO 600 & 3100
Jurisdiction:	City of Scappoose
Gross Size:	22.4 acres
County Zoning:	M-2
Scappoose Comp Plan:	Industrial
Floodway:	2.98 acres
Habitat:	3.34 acres
Fertallone AO:	12.63 acres
Unengumbered:	3.22 acres

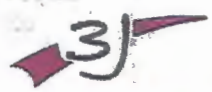
- SITE NOTES**
- Site plan prepared using data from existing maps and Columbia County's GIS Data. This map has been prepared for illustrative purposes only. All boundary and dimensional information should be verified by a professional land surveyor.
 - Wetlands shown on site are copied from a 1998 Local Wetland Inventory prepared by the City of Scappoose. All information should be considered to be preliminary and subject to verification by a wetland biologist.
 - This plan is conceptual in nature. Final development for the property will depend on market and user requirements, final floodplain determination, site design criteria, and engineering and development constraints.

- LEGEND**
- Preliminary Floodway
 - FEMA Zone AO
 - Floodplain may have been altered. Applicant is working with FEMA to establish new floodplain levels.



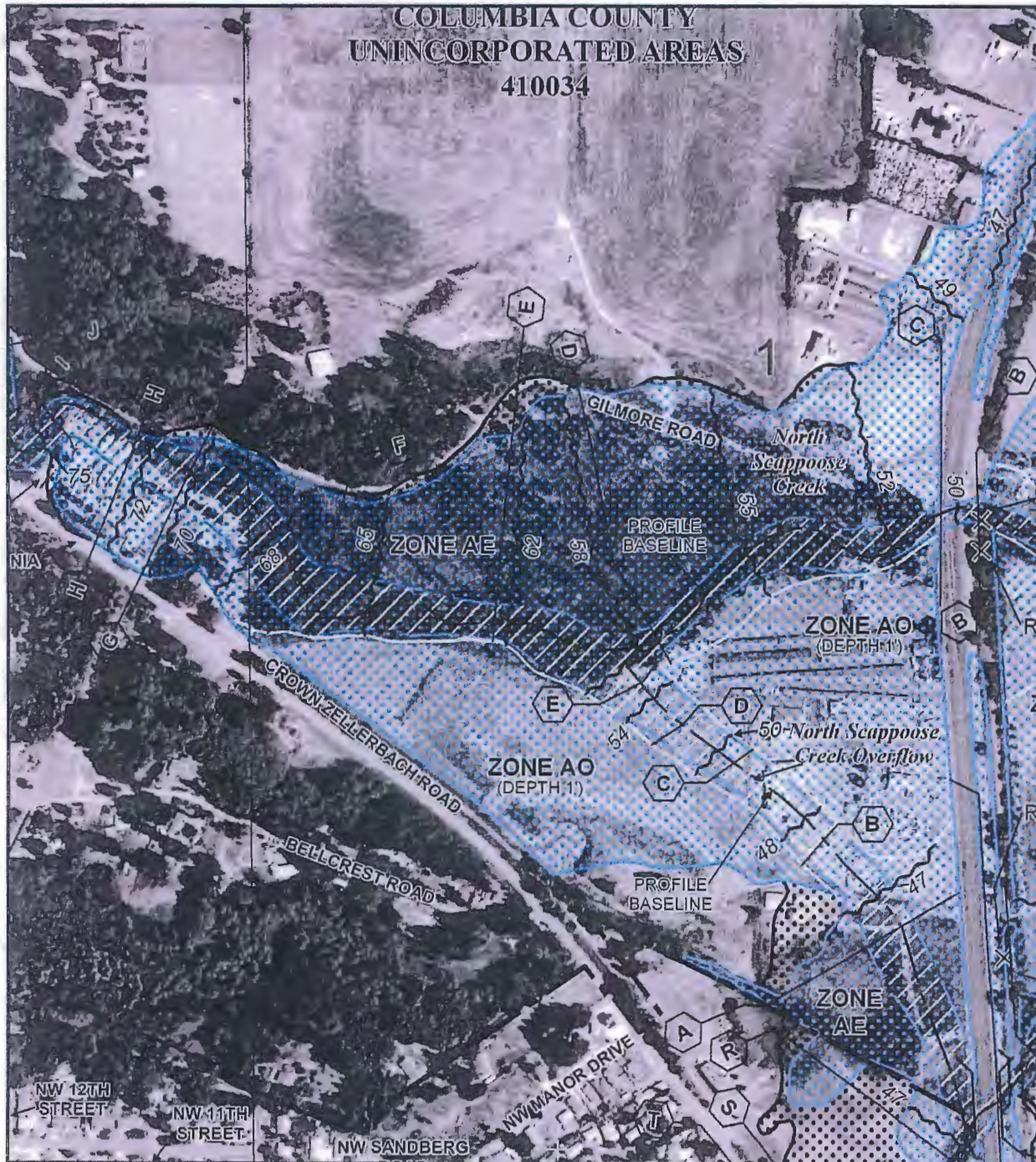
Scappoose Industrial - Conceptual Development Plan

DJ2 Construction and Development

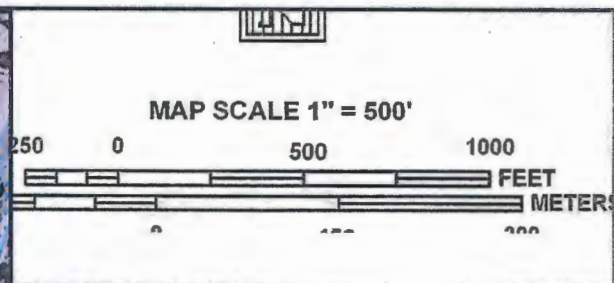


May 2015

Exhibit 5



COLUMBIA COUNTY
UNINCORPORATED AREAS
410034



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0444D

FIRM
FLOOD INSURANCE RATE MAP
COLUMBIA COUNTY,
OREGON
AND INCORPORATED AREAS

PANEL 444 OF 525
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
COLUMBIA COUNTY	410034	0444	D
SCAPPOOSE, CITY OF	410035	0444	D

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



MAP NUMBER
41009C0444D
MAP REVISED
NOVEMBER 26, 2010

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

From: Welter, Lonny <lonny.welter@co.columbia.or.us>
Sent: Tuesday, June 09, 2015 9:56 AM
To: Oliver, Laurie
Subject: Fwd: ANX1-15/ZC2-15

----- Forwarded message -----

From: Welter, Lonny <lonny.welter@co.columbia.or.us>
Date: Tue, Jun 9, 2015 at 9:11 AM
Subject: ANX1-15/ZC2-15
To: loliver@cityofscappoose.or
Cc: Glen Crinklaw <glen.crinklaw@co.columbia.or.us>, "Hill, David" <david.hill@co.columbia.or.us>

Laurie,

The Columbia County Road Department has no objection to the annexation and the zoning change of the property on the north side of the Scappoose Vernonia Road, vicinity of Bell Crest Road, as submitted. However, at the time of development of this property, in order to access the Scappoose Vernonia Road, at minimum, there will be a couple of requirements:

1. A Columbia County Road Department Access Permit will be required to access onto Scappoose Vernonia Road.
2. An easement to cross the Crown Zellerback Trail property will need to be negotiated. There may be a price/cost for the easement as well as construction and some trail maintenance requirements for the life of the easement. All to be negotiated.

Lonny Welter
Transportation Planner
Columbia County Road Department

Oliver, Laurie

Exhibit 9

From: Andrew Tull <andrew.tull@3j-consulting.com>
Sent: Friday, June 19, 2015 4:18 PM
To: JOHNSTON Bill
Cc: laurieoliver@ci.scappoose.or.us; CASWELL Matthew C; FISH Gary; BRUMLEY Seth A
Subject: Re: Scappoose Holdings LLC proposed annexation and rezone

Thanks, Bill.

Sorry I missed your call.

I'll follow up with you on Monday.

Best regards.

Andrew Tull
503-545-1907

On Jun 19, 2015, at 4:09 PM, JOHNSTON Bill <Bill.W.JOHNSTON@odot.state.or.us> wrote:

Hello Andrew – I'm following up on our conversation this afternoon.

Thanks for clarifying that your client's property is within the portion of the UGB that was expanded in 1997. For some reason I thought it was within the area that was expanded in 2010.

Given this, I would agree with your previous assessment that the transportation impacts of the proposed annexation and rezone have already been accounted for. Below are some additional findings you could cite in responding to the City's request for additional information. I will probably send Laurie an email or letter following-up on my previous comments.

Please contact me if you have any questions.

Bill Johnston, AICP, Transportation Planner
Oregon Department of Transportation | Northwest Area | 350 W Marine Dr. | Astoria, OR
97103-6236 | 503.325.5281 | bill.johnston@odot.state.or.us

Suggested additional findings

The 1997 TSP accounted for industrial development in this area. The traffic forecast assumed 5 employees per acre. This would have applied either to the County's General Industrial Zone or the City's Light Industrial Zone. In other words, the forecast is based on realistic market conditions, which equates to the "reasonable worst case" development scenario.

The 1997 TSP identified the need for improvements at the intersection of US 30 and Crown-Zellerbach Road.

This intersection was improved by ODOT (in 2006?). The intersection was presumably configured to accommodate traffic from this and other surrounding development.

From: Andrew Tull [<mailto:andrew.tull@3j-consulting.com>]

Sent: Friday, June 19, 2015 2:35 PM

To: JOHNSTON Bill

Subject: Scappoose 1997 TSP

Hello Bill,

Attached is a copy of the City's TSP. The demographic analysis starts on page 125.

Thanks,

Andrew Tull

Principal Planner

3J Consulting, Inc.

5075 Griffith Drive, Suite 150

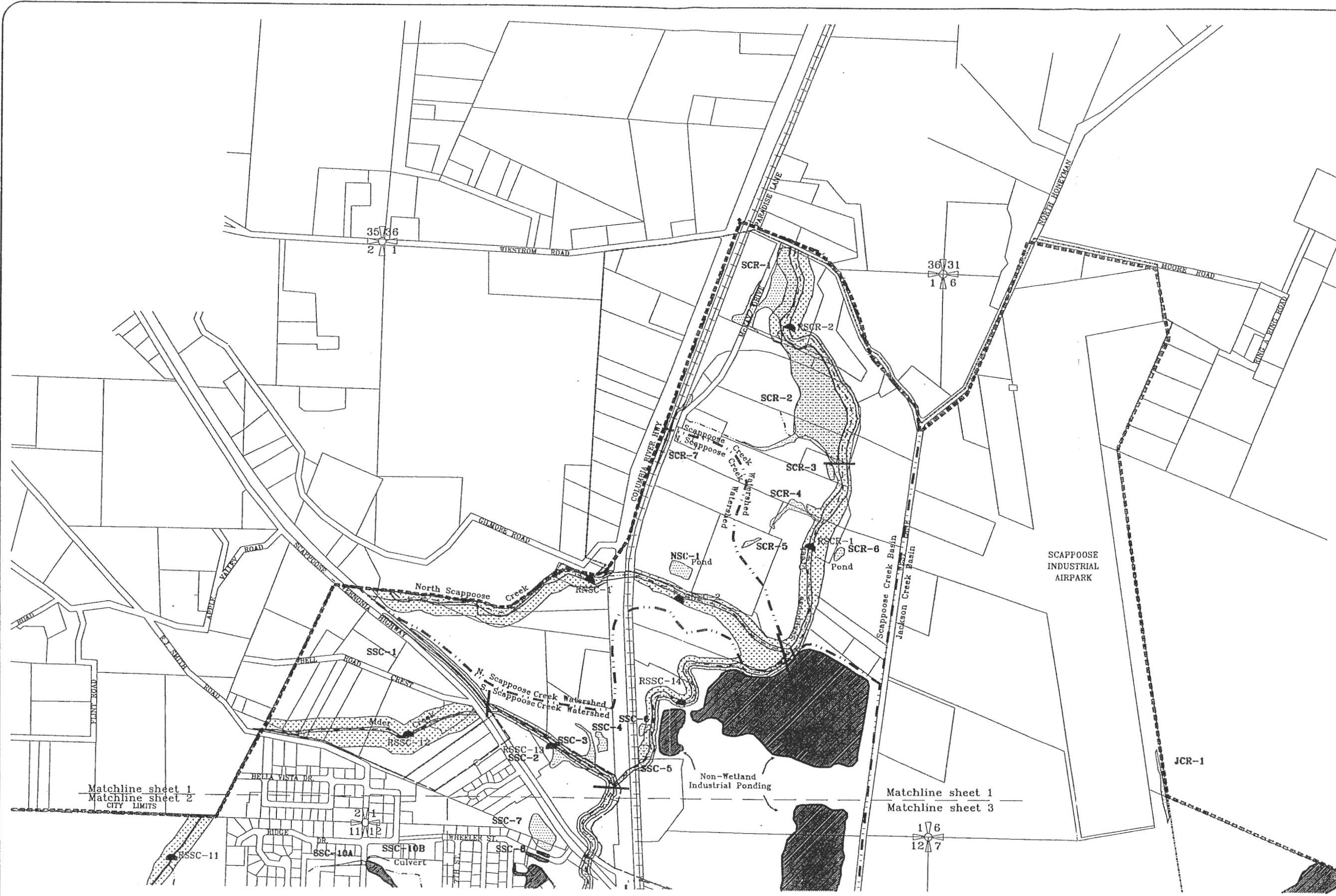
Beaverton, OR 97005

PH: (503) 545-1907

andrew.tull@3j-consulting.com

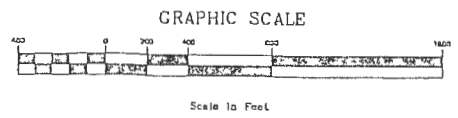
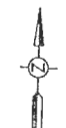
Land Use Planning – Civil Engineering – Water Resources

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Project Boundary	On Site Wetland Determination	Riparian Code	RJCR-1
Watershed Boundary	Off Site Wetland Determination	Riparian Assessment Point	
Urban Growth Boundary	Riparian Area	Stream	
City Limits			

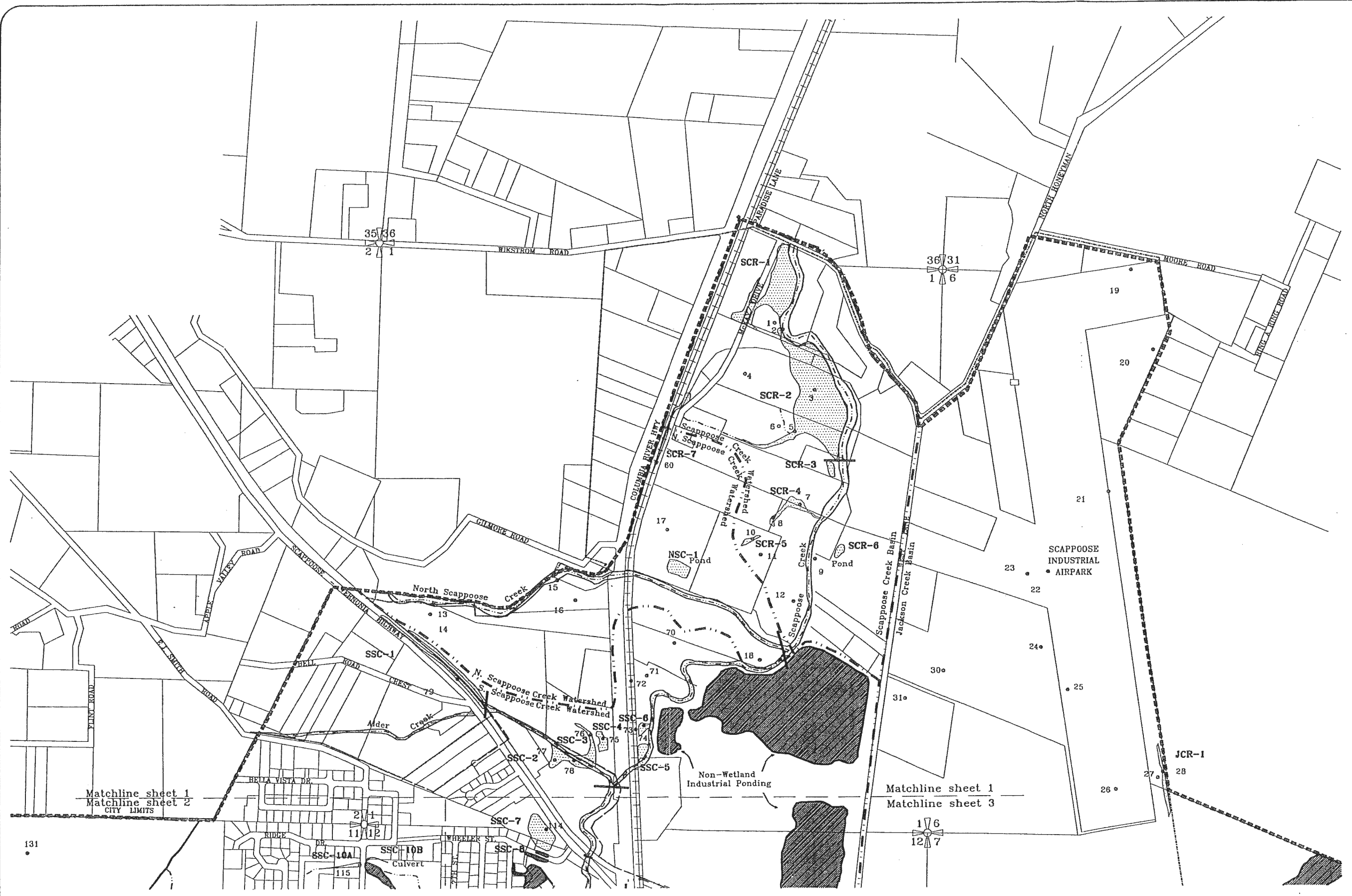
Funding for this project was provided by a grant from the Oregon Division of State Lands, wetlands planning assistance grant program. This grant program is supported by a grant from the U.S. Environmental Protection Agency under authority of the Clean Water Act.



This map is for planning purposes only. It has not been finalized and adopted by the City of Scappoose or approved by the wetland regulatory agencies. You are advised to contact the Oregon Division of State Lands or the U.S. Army Corps of Engineers with any regulatory questions. Mapped wetland boundaries are accurate to within 25 feet, however, there may be unmapped wetlands subject to regulation. In all cases, actual field conditions determine wetland boundaries.

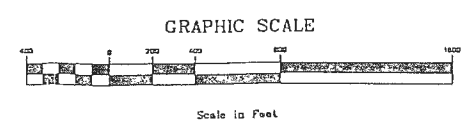
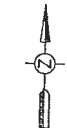
Scappoose Riparian Inventory

Exhibit 6



Project Boundary	On Site Wetland Determination	58
Watershed Boundary	Off Site Wetland Determination	JCR-1
Urban Growth Boundary	Sample Point	
City Limits	Wetland Code	
Stream		

Funding for this project was provided by a grant from the Oregon Division of State Lands, wetlands planning assistance grant program. This grant program is supported by a grant from the U.S. Environmental Protection Agency under authority of the Clean Water Act.



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Fig. 4A

Pacific Habitat Services Inc.
8450 SW Commerce Creek, Suite 100
Wilsonville, Oregon 97070
Phone: (503) 570-0800

PHS

December, 1998
BASE MAP INFO: Supplied by City of Scappoose
K.C.M. Engineering
5-1234
JOB NO.: 88

**Scappoose
Local Wetlands Inventory**

Exhibit 7

ose
mbia Avenue
regon 97056



7011 2970 0002 1694 3138



DEPT OF
DEC 11 2015
AND CONSERVATION
AND DEVELOPMENT

DLCD
Re: Annexation Information
635 Capitol St. NE, Suite 150
Salem, Oregon 97301-2540