



Firwood Design Group, LLC
SURVEYING • ENGINEERING • PLANNING

EXHIBIT 'A' ANNEXATION DESCRIPTION

Two tracts of land located in the southwest quarter of Section 18, Township 1 South, Range 3 East, Willamette Meridian, Multnomah County, Oregon, each tract being more particularly described as follows:

TRACT 'A'

Beginning at the most northerly corner of Lot 62 of "JENNELYND ACRES", Multnomah County Plat Records; thence following the northeasterly line of said Lot, South 48°12'07" East a distance of 354.80 feet to the most easterly corner of said Lot; thence following the southeasterly line of said Lot, South 41°47'53" West a distance of 260.00 feet to the most southerly corner of said Lot; thence following the southwesterly line of said Lot, North 48°12'07" West a distance of 247.14 feet to the intersection with the southeasterly right-of-way line of SE Jenne Road (County Road No. 649, which is 50 feet wide); thence following said right-of-way line, North 22°47'44" East a distance of 132.49 feet; thence following the arc of a 598.00 foot radius curve turning to the left a distance of 106.95 feet (chord bearing of North 17°40'18" East 106.81 feet); thence North 12°32'53" East a distance of 42.70 feet to the POINT OF BEGINNING. TRACT 'A' Contains 76,743 square feet (or 1.762 acres), more or less.

TRACT 'B'

Beginning at the most northerly corner of Lot 62 of "JENNELYND ACRES", Multnomah County Plat Records; thence following the southeasterly right-of-way line of SE Jenne Road (County Road No. 649, which is 50 feet wide) common with and adjoining Lots 62, 58, 57 & 54 of "JENNELYND ACRES" the following four (4) courses and distances and three (3) curves:

South 12°32'53" West a distance of 42.70 feet;
following the arc of a 598.00 foot radius curve turning to the right a distance of 106.95 feet (chord bearing of South 17°40'18" West 106.81 feet);
South 22°47'44" West a distance of 132.49 feet to the most westerly corner of said Lot 62;
South 22°47'44" West a distance of 502.85 feet;

following the arc of a 598.00 foot radius curve turning to the right a distance of 130.19 feet (chord bearing of South 29°01'57" West 129.94 feet);
 South 35°16'10" West a distance of 85.47 feet;
 thence following the arc of a 2,839.33 foot radius curve turning to the left a distance of 105.02 feet (chord bearing of South 34°13'42" West 105.01 feet) to the most westerly corner of said Lot 54;

thence following the northwesterly extension of the southwesterly line of said Lot 54, North 62°29'16" West a distance of 50.25 feet to a point on the northwesterly right-of-way line of said SE Jenne Road; thence following the said northwesterly right-of-way line of SE Jenne Road the following three (3) curves and three (3) courses and distances:

following the arc of a 2,889.33 foot radius curve turning to the right a distance of 98.23 feet (chord bearing of North 34°16'42" East 98.23 feet);
 North 35°16'10" East a distance of 85.47 feet;
 following the arc of a 548.00 foot radius curve turning to the left a distance of 119.31 feet (chord bearing of North 29°01'57" East 119.07 feet);
 North 22°47'44" East a distance of 635.33 feet;
 following the arc of a 548.00 foot radius curve turning to the left a distance of 98.01 feet (chord bearing of North 17°40'18" East 97.88 feet);
 North 12°32'53" East a distance of 42.70 feet;

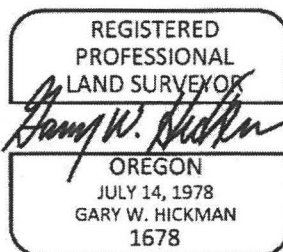
thence leaving said northwesterly right-of-way line, South 77°27'07" East a distance of 50.00 feet to the POINT OF BEGINNING. TRACT 'B' contains 54,618 square feet (or 1.25 acres), more or less.

A map of the above described TRACT 'A' and TRACT 'B' is shown on attached Exhibit 'B', and by this reference is made apart hereof.

Bearings for the above description is based upon Multnomah County Survey No. 55,353.

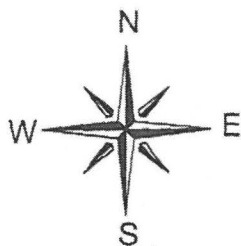
Subject to: All easements, restrictions and rights-of-way of record and those common and apparent on the land.

S16-005 Exhibit 'A'
 Rev. date: 05/18/16
 By: GWH



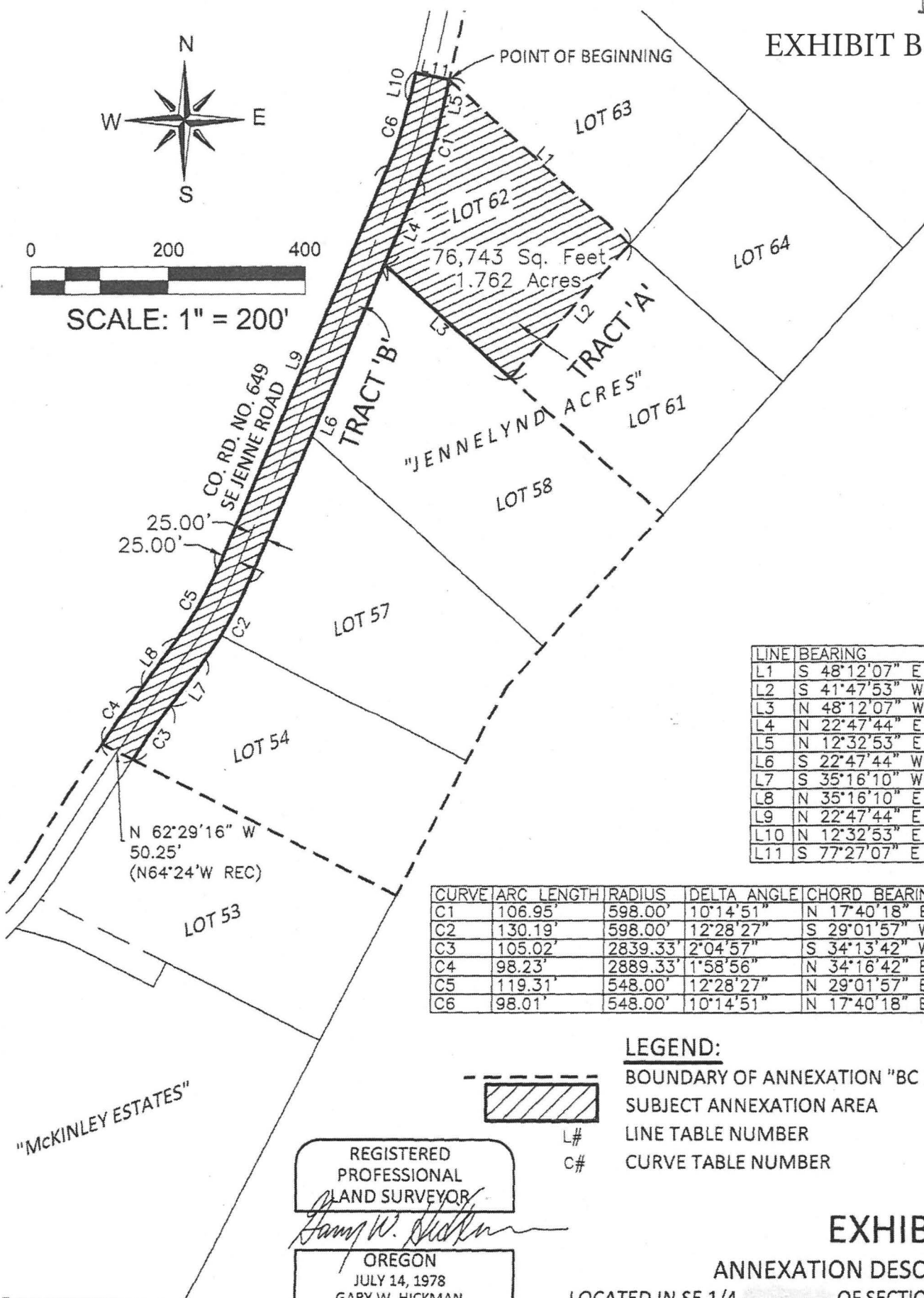
RENEWS: 06/30/17

EXHIBIT B



0 200 400

SCALE: 1" = 200'



LINE	BEARING	DISTANCE
L1	S 48°12'07" E	354.80'
L2	S 41°47'53" W	260.00'
L3	N 48°12'07" W	247.14'
L4	N 22°47'44" E	132.49'
L5	N 12°32'53" E	42.70'
L6	S 22°47'44" W	502.85'
L7	S 35°16'10" W	85.47'
L8	N 35°16'10" E	85.47'
L9	N 22°47'44" E	635.33'
L10	N 12°32'53" E	42.70'
L11	S 77°27'07" E	50.00'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD
C1	106.95'	598.00'	10°14'51"	N 17°40'18" E	106.81'
C2	130.19'	598.00'	12°28'27"	S 29°01'57" W	129.94'
C3	105.02'	2839.33'	2°04'57"	S 34°13'42" W	105.01'
C4	98.23'	2889.33'	1°58'56"	N 34°16'42" E	98.23'
C5	119.31'	548.00'	12°28'27"	N 29°01'57" E	119.07'
C6	98.01'	548.00'	10°14'51"	N 17°40'18" E	97.88'

LEGEND:

BOUNDARY OF ANNEXATION "BC 1864"

SUBJECT ANNEXATION AREA

LINE TABLE NUMBER

CURVE TABLE NUMBER

L#
C#REGISTERED
PROFESSIONAL
LAND SURVEYORGARY W. HICKMAN
JULY 14, 1978
1678

RENEWS: 06/30/17

EXHIBIT 'B'**ANNEXATION DESCRIPTION**LOCATED IN SE 1/4 OF SECTION 18, T1S,
R3E, W.M., MULTNOMAH COUNTY, OREGON
Job No.: S16-005 Revision Date: 05/18/16

Attachment 1, Proposal
Proposal No. A-2-16

July 6, 2016 Meeting

PROPOSAL NO. A-2-16 - CITY OF PORTLAND - Annexation

Petitioners: Benjamin Clapa

Proposal No. A-2-16 was initiated by a consent petition of the property owners and registered voters. The petition meets the requirement for initiation set forth in ORS 222.170(2) (double majority annexation law) and Metro Code 3.09.040(a) (Metro's minimum requirements for a petition).

The territory to be annexed is located generally on the southeast edge of the City on the east edge SE Jenne Rd. south of the Jenne Rd./Jenne Ln. intersection. The territory contains 1.8 acres, 1 single family dwelling and a population of 1.

REASON FOR ANNEXATION

The property owners want to annex to Portland to obtain sewer service to replace a failed septic system.

CRITERIA FOR DECISION-MAKING

The only criterion for deciding city boundary changes within the statutes is the territory must be contiguous to the City. However, the 1997 Legislature directed Metro to establish criteria that must be used by all cities within the Metro boundary and Metro has done so through adoption of Section 3.09 of the Metro Code.

The Metro Code states that a final decision must include findings of fact and conclusions from those findings. The Code also allows cities to adopt procedures for an "expedited" annexation and Portland has done so.

To approve a boundary change through an expedited process, the City must:

- (1) Find that the change is consistent with expressly applicable provisions in:
 - (A) Any applicable urban service agreement adopted pursuant to ORS 195.205;

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- (B) Any applicable annexation plan adopted pursuant to ORS 195.205;
 - (C) Any applicable cooperative planning agreement adopted pursuant to ORS 195.020 (2) between the affected entity and a necessary party;
 - (D) Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services; and
 - (E) Any applicable comprehensive plan;
 - (F) Any applicable concept plan; and
- (2) Consider whether the boundary change would:
- (A) Promote the timely, orderly and economic provision of public facilities and services;
 - (B) Affect the quality and quantity of urban services; and
 - (C) Eliminate or avoid unnecessary duplication of facilities and services.

There are no urban service agreements, cooperative agreements or annexation plans under ORS 195 covering this area. The City is the designated sewer service provider for this area. As noted in the section below, the action is consistent with the applicable plan and the City has appropriate urban services available to the site.

LAND USE PLANNING

Regional Planning. The territory is within the regional Urban Growth Boundary and the jurisdictional boundary of Metro.

Regional Framework Plan. The law that requires Metro to adopt criteria for boundary changes specifically requires the District [Metro] to: "Ensure that a boundary change is in compliance with the Metro regional framework plan, as defined in ORS 197.015, and cooperative agreements and urban service agreements adopted pursuant to ORS 195." Metro is authorized to adopt functional plans which are limited purpose plans addressing designated areas and activities of metropolitan concern and which mandate local plan changes. Metro has adopted two functional plans - the Urban Growth Management Functional Plan and the Regional Transportation Plan.

The Urban Growth Management Functional Plan requires cities and counties to amend their comprehensive plans and implementing ordinances to accord with elements in the Functional Plan. Included in these requirements are such items as minimum density standards, limitations

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on parking standards, mandated adoption of water quality standards and rules relating to Urban Growth Boundary expansion into Urban Reserve areas. These requirements do not relate directly to the issue of annexation to a city.

The Regional Transportation Plan was examined and no specific criteria applicable to boundary changes were discovered.

The Regional Framework Plan was reviewed and found not to contain specific criteria applicable to boundary changes.

Multnomah County Planning. In 2001 the Multnomah County Board adopted the City's comprehensive plan and implementing regulations as the County's plan and zoning for this area. By intergovernmental agreement signed in January, 2002 the City took over implementation and administration of planning and zoning for this area. The territory is designated SFR Single Family Residential by Multnomah County.

Portland/Multnomah County Urban Services Agreement.

The property to be annexed falls within the City's Urban Services Boundary.

Portland Planning.

The Portland Comprehensive Plan contains the following requirement:

1.3 Urban Services Boundary

The City shall establish and maintain, in cooperation with neighboring jurisdictions, an Urban Services Boundary for the City of Portland that defines a rational service area within which the City can meet the service needs most effectively and at the lowest cost. The Urban Services Boundary shall be consistent with the regional Urban Growth Boundary and may be amended from time to time in accordance with the Comprehensive Plan.

The property to be annexed falls within the City's Urban Services Boundary.

The City Comprehensive Plan contains the following Goals and Policies & Objectives:

METROPOLITAN COORDINATION

. . .

1.2 Urban Planning Area Boundary

Identify and adopt an Urban Planning Area Boundary outside the current city limits. Land use within the boundary will be maintained by the City in cooperation with other local jurisdictions. Proposals for annexation to the city will be considered within the Urban Planning Area Boundary if consistent with the Urban

Growth Boundary. The City will conclude agreements with abutting jurisdictions to coordinate and monitor land use.

As noted above under "Multnomah County Planning" the City and the County have an agreement on planning covering the territory to be annexed.

URBAN DEVELOPMENT

2.3 Annexation

Phase the annexation program of the City to allow for the incorporation of urban and urbanizable land in a manner that is consistent with the Comprehensive Plan and the Urban Growth Boundary as administered by the Metropolitan Service District, provides smooth transition in urban services, establishes logical city boundaries and promotes coordinated capital improvements programming. Annex land within the Urban Services Boundary in accordance with this Policy and Policy 11.1. Annexations outside the Urban Services Boundary will not be accepted.

PUBLIC FACILITIES

GOAL:

- 11 A Provide a timely, orderly and efficient arrangement of public facilities and services that support existing and planned land use patterns and densities.

POLICIES & OBJECTIVES:

B. Outside its boundaries of incorporation, the City of Portland shall:

- (1) Acknowledge the City's role as principal provider of urban services within the City's established Urban Services Boundary and plan for the eventual delivery of urban services according to a phased program of improvements meeting the service needs of individual areas.
- (2) Coordinate closely with other jurisdictions providing services within the established Portland Urban Services Boundary to ensure continuing delivery of effective and efficient urban services.

C. The City shall not provide new urban services, or expand the capacity of existing services, to areas outside its boundaries of incorporation.

11.2 Orderly Land Development

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Urban development should occur only where urban public facilities and services exist or can be reasonably made available.

11.3 Orderly Service Extension

The improvement and expansion of one urban public facility or service should not stimulate development that significantly precedes the City's, or other appropriate jurisdiction's, ability to provide all other necessary urban public facilities and services at uniform levels.

As discussed in the Section below, urban services are readily available to the site from the City.

The City's adopted Urban Services Policy (ENB-1.01) found that a full-service city government can provide urban services most cost-effectively.

FACILITIES AND SERVICES

ORS 195 Agreements. ORS 195 requires agreements between providers of urban services. Urban services are defined as: sanitary sewers, water, fire protection, parks, open space, recreation and streets, roads and mass transit. These agreements are to specify which governmental entity will provide which service to which area in the long term. The counties are responsible for facilitating the creation of these agreements. The statute was enacted in 1993 but no urban service agreements have yet been adopted in this area.

Sanitary Sewer Service. Sanitary sewer service is available from a City of Gresham line via an intergovernmental agreement between Portland and Gresham.

Water Service. Water service is currently provided by the City of Portland from the City's 12 line in SE Jenne Road.

Police Service. Police Service will be provided by the City at the same level as currently provided to other City residents.

Fire. The territory currently receives fire protection from Multnomah County R.F.P.D. # 10. Following annexation the City would provide fire service.

ORS 222.120(5) provides that the City may declare in its ordinance annexing territory that the territory will be withdrawn from a fire district. The effective date of a withdrawal from a fire district is the effective date of the annexation.

Transportation. Access to the site is provided by SE Jenne Rd.

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Proposal No. A-2-16

RECOMMENDATION

Based on the Study and the proposed Findings and Reasons for Decision found in Attachment 2, the staff recommends that Proposal No. A-2-16 be **approved**. It is also recommended that territory to be annexed be withdrawn from Multnomah County R.F.P.D. # 10.

Proposal No.A-2-16

1S3E18




Annexation to the City of Portland

Multnomah County



Research Center
600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-1742
<http://www.oregonmetro.gov>

Proposal No.A-2-16

-  Taxlots
-  Area to be annexed
-  City boundary

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1:3,000
0 250 500 Feet

The information on this map was derived from digital databases on Metro's GIS. Care was taken in the creation of this map. Metro cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, notification of any errors will be appreciated.

FINDINGS AND REASONS FOR DECISION

Based on the staff study and the public hearing the City Council found:

1. The territory to be annexed contains 1.8 acres, 1 single family dwelling and a population of 1.
2. The property owners want to annex to Portland to obtain sewer service to replace a failed septic system.
3. The only criterion for deciding city boundary changes within the statutes is the territory must be contiguous to the City. However, the 1997 Legislature directed Metro to establish criteria that must be used by all cities within the Metro boundary and Metro has done so through adoption of Section 3.09 of the Metro Code.

The Metro Code states that a final decision must include findings of fact and conclusions from those findings. The Code also allows cities to adopt procedures for an "expedited" annexation and Portland has done so.

To approve a boundary change through an expedited process, the City must:

- (1) Find that the change is consistent with expressly applicable provisions in:
 - (A) Any applicable urban service agreement adopted pursuant to ORS 195.205;
 - (B) Any applicable annexation plan adopted pursuant to ORS 195.205;
 - (C) Any applicable cooperative planning agreement adopted pursuant to ORS 195.020 (2) between the affected entity and a necessary party;
 - (D) Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services; and
 - (E) Any applicable comprehensive plan;
 - (F) Any applicable concept plan; and
- (2) Consider whether the boundary change would:

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Proposal No. A-2-16

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

There are no urban service agreements, cooperative agreements or annexation plans under ORS 195 covering this area. The City is the designated sewer service provider for this area. As noted in the findings below, the action is consistent with the applicable plan and the City has appropriate urban services available to the site.

- 4. The territory is within the regional Urban Growth Boundary and the jurisdictional boundary of Metro.
- 5. The law that requires Metro to adopt criteria for boundary changes specifically requires the District [Metro] to: "Ensure that a boundary change is in compliance with the Metro regional framework plan, as defined in ORS 197.015, and cooperative agreements and urban service agreements adopted pursuant to ORS 195." Metro is authorized to adopt functional plans which are limited purpose plans addressing designated areas and activities of metropolitan concern and which mandate local plan changes. Metro has adopted two functional plans - the Urban Growth Management Functional Plan and the Regional Transportation Plan.

The Urban Growth Management Functional Plan requires cities and counties to amend their comprehensive plans and implementing ordinances to accord with elements in the Functional Plan. Included in these requirements are such items as minimum density standards, limitations on parking standards, mandated adoption of water quality standards and rules relating to Urban Growth Boundary expansion into Urban Reserve areas. These requirements do not relate directly to the issue of annexation to a city.

The Regional Transportation Plan was examined and no specific criteria applicable to boundary changes were discovered.

The Regional Framework Plan was reviewed and found not to contain specific criteria applicable to boundary changes.

- 6. In 2001 the Multnomah County Board adopted the City's comprehensive plan and implementing regulations as the County's plan and zoning for this area. By intergovernmental agreement signed in January, 2002 the City took over implementation and administration of planning and zoning for this area. The territory is designated SFR Single Family Residential by Multnomah County.

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7. The property to be annexed falls within the City's Urban Services Boundary.
8. The Portland Comprehensive Plan contains the following requirement:

1.3 Urban Services Boundary

The City shall establish and maintain, in cooperation with neighboring jurisdictions, an Urban Services Boundary for the City of Portland that defines a rational service area within which the City can meet the service needs most effectively and at the lowest cost. The Urban Services Boundary shall be consistent with the regional Urban Growth Boundary and may be amended from time to time in accordance with the Comprehensive Plan.

The property to be annexed falls within the City's Urban Services Boundary.

The City Comprehensive Plan contains the following Goals and Policies & Objectives:

METROPOLITAN COORDINATION

1.2 Urban Planning Area Boundary

Identify and adopt an Urban Planning Area Boundary outside the current city limits. Land use within the boundary will be maintained by the City in cooperation with other local jurisdictions. Proposals for annexation to the city will be considered within the Urban Planning Area Boundary if consistent with the Urban Growth Boundary. The City will conclude agreements with abutting jurisdictions to coordinate and monitor land use.

As noted in Finding No. 6 above the City and the County have an agreement on planning covering the territory to be annexed.

URBAN DEVELOPMENT

2.3 Annexation

Phase the annexation program of the City to allow for the incorporation of urban and urbanizable land in a manner that is consistent with the Comprehensive Plan and the Urban Growth Boundary as administered by the Metropolitan Service District, provides smooth transition in urban services, establishes logical city boundaries and promotes coordinated capital improvements programming. Annex land within the Urban

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Proposal No. A-2-16

Services Boundary in accordance with this Policy and Policy 11.1.
Annexations outside the Urban Services Boundary will not be accepted.

PUBLIC FACILITIES

GOAL:

- 11 A Provide a timely, orderly and efficient arrangement of public facilities and services that support existing and planned land use patterns and densities.

POLICIES & OBJECTIVES:

. . .
B. Outside its boundaries of incorporation, the City of Portland shall:

(1) Acknowledge the City's role as principal provider of urban services within the City's established Urban Services Boundary and plan for the eventual delivery of urban services according to a phased program of improvements meeting the service needs of individual areas.

(2) Coordinate closely with other jurisdictions providing services within the established Portland Urban Services Boundary to ensure continuing delivery of effective and efficient urban services.

C. The City shall not provide new urban services, or expand the capacity of existing services, to areas outside its boundaries of incorporation.

11.2 Orderly Land Development

Urban development should occur only where urban public facilities and services exist or can be reasonably made available.

11.3 Orderly Service Extension

The improvement and expansion of one urban public facility or service should not stimulate development that significantly precedes the City's, or other appropriate jurisdiction's, ability to provide all other necessary urban public facilities and services at uniform levels.

As discussed in the Findings below, urban services are readily available to the site from

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Proposal No. A-2-16

the City.

The City's adopted Urban Services Policy (ENB-1.01) found that a full-service city government can provide urban services most cost-effectively.

9. ORS 195 requires agreements between providers of urban services. Urban services are defined as: sanitary sewers, water, fire protection, parks, open space, recreation and streets, roads and mass transit. These agreements are to specify which governmental entity will provide which service to which area in the long term. The counties are responsible for facilitating the creation of these agreements. The statute was enacted in 1993 but no urban service agreements have yet been adopted in this area.
10. Sanitary sewer service is available from a City of Gresham line via an intergovernmental agreement between Portland and Gresham.
11. Water service is currently provided by the City of Portland from the City's 12 line in SE Jenne Road.
12. Police Service will be provided by the City at the same level as currently provided to other City residents.
13. The territory currently receives fire protection from Multnomah County R.F.P.D. # 10. Following annexation the City would provide fire service.

ORS 222.120(5) provides that the City may declare in its ordinance annexing territory that the territory will be withdrawn from a fire district. The effective date of a withdrawal from a fire district is the effective date of the annexation.

14. Access to the site is provided by SE Jenne Rd.

CONCLUSIONS AND REASONS FOR DECISION

Based on the Findings, the City Council determined:

1. The Metro Code at 3.09.045(d)(1) (A) seeks consistency with expressly applicable provisions in an applicable urban service agreement adopted pursuant to ORS 195.065. There are no such agreements in this area.
2. The Metro Code at 3.09.045(d)(1) (B) seeks consistency with expressly applicable provisions in an applicable annexation plan adopted pursuant to ORS 195.205. There are no such annexation plans in this area.
3. The Metro Code at 3.09.045(d)(1) (C) seeks consistency with expressly applicable provisions in any applicable cooperative planning agreement adopted pursuant to ORS 195.020 (2) between the City and a necessary party. There are no such agreements in this area.
4. The Metro Code at 3.09.045(d)(1) (D) seeks consistency with expressly applicable provisions in any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services. Determination that the area be included in the City's urban service area was made through adoption of an Urban Services Policy adopted as an element of the City's Comprehensive Plan. The annexation is consistent with the public facility plan as noted in Finding No. 7.
5. The Metro Code at 3.09.045(d)(1) (E) seeks consistency with expressly applicable provisions in any applicable comprehensive plan. The Council has reviewed the City Comprehensive Plan and the County Comprehensive Plan. The County plan contains no criteria that are directly applicable to annexation decisions.

Policy 11.1 of the Portland Comprehensive Plan contains criteria related to annexation. It says that the city shall "acknowledge its role as the principal provider of urban services" within the City's urban services boundary and "coordinate closely" with other service providers in the area. The City serves adjacent areas within the City and coordinates with Multnomah County R.F.P.D. # 10 which serves non-city adjacent areas.

The Council concludes that the annexation is consistent with Policy 11.1.

Policy 11.2 says urban development is appropriate when urban services are available and they are in this case. Therefore the Council finds the annexation consistent with Policy 11.2

Policy 11.3 cautions against allowing one urban service to dictate premature extension

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Proposal No. A-2-16

of other public services. In this case the other public services are readily available. The Council concludes the annexation is consistent with Policy 11.3.

Policy 11.4 calls for maximum use of existing facilities. This proposed annexation is consistent with policy 11.4.

Under Policy 11.5, to the maximum extent possible costs for new public facilities & services should be borne by those benefiting from them. The sewer line is in the street so the only costs for extending that service fall on the property owner. Therefore the Council concludes the proposal is consistent with this policy.

6. Metro Code 3.09.045(d)(2)(A) calls for consideration of whether the boundary change would "promote the timely, orderly and economic provision of public facilities and services." The Council concludes that the City's adequate services can be provided to serve this area, based on Findings 10 through 14. Therefore the proposed change promotes the timely, orderly and economic provision of services.
7. Metro Code 3.09.045(d)(2)(B) calls for consideration of whether the boundary change would affect the "quality and quantity of urban services." Given the size of this annexation the Council concludes this annexation will have no impact on the overall quality and quantity of services available in the area.
8. In accordance with Metro Code 3.09.045(d)(2)(C) Council considered whether this annexation would "eliminate or avoid unnecessary duplication of services" and concludes the annexation will neither negatively nor positively relate to this criterion.
9. The City may specify in its annexation Ordinance that the territory will be simultaneously withdrawn from Multnomah County R.F.P.D. # 10. To prevent confusion about which unit of government is responsible for providing service, the territory should be simultaneously withdrawn from the district.