

RESOLUTION NO. 12-25

A RESOLUTION REGARDING ANNEXATION PROPOSAL NO. AN 12-03 AND REFERRING TO THE LEGAL VOTERS OF OREGON CITY THE QUESTION OF APPROVING ANNEXATION PROPOSAL NO. AN 12-03

WHEREAS, the owner of certain real property adjacent to the City of Oregon City, more fully identified in the legal description attached hereto as Exhibit 'A' to this Resolution, proposed in Annexation Proposal No. AN 12-03 that their property be annexed to the City of Oregon City to connect properties to city services and allow future development; and

WHEREAS, the City of Oregon City City Commission, Oregon, reviewed the annexation proposal during a public hearing on August 1, 2012 and found that it can comply with all applicable legal requirements; and

WHEREAS, Chapter I, section 3 of the Oregon City Charter of 1982, as amended, requires voter approval of annexations such as the one proposed; and

WHEREAS, the identified property is currently in Clackamas County Rural Fire Protection District # 1 (CCFD#1); and

WHEREAS, if annexation is approved by the legal voters of Oregon City, CCFD#1 will continue to provide fire protection service to the identified property; and

WHEREAS, the identified property is currently within the Clackamas County Service District for Enhanced Law Enforcement; and

WHEREAS, the identified property is currently within and served by the Clackamas River Water (CRW) District service area; and

WHEREAS, with approval of the annexation, the property will be withdrawn from CRW and future development will be connected to the Oregon City water distribution system; and

WHEREAS, the identified property is not currently within the Tri-City Service District and must petition for annexation into said District with the concurrence of the City; and

WHEREAS, if annexation is approved by the legal voters of Oregon City, the Oregon City Police Department will be responsible for police services to the identified property;

NOW, THEREFORE, OREGON CITY RESOLVES AS FOLLOWS:

Section 1. That the annexation proposal, AN 12-03, should be sent to the voters for decision and that, should the legal voters of Oregon City approve the measure submitted to them below, the property described in Exhibit 'A' should be annexed to the City of Oregon City.

Section 2. An election is called in and for the City of Oregon City, to be held November 6, 2012, in the manner designated by the Clackamas County Clerk, who shall conduct the election. At that election, the following question shall be submitted to the electors:

Shall 11.93 acres of industrial land east of Beavercreek Road be annexed into the Oregon City city limits?

Section 3. The City Commission adopts the following ballot title to describe the measure to be placed before the voters at the Tuesday, November 6, 2012 election:

MEASURE No. _____

CAPTION: MEASURE APPROVING ANNEXATION OF 11.93 ACRES INTO OREGON CITY.

QUESTION: Shall 11.93 acres of industrial land located east of Beavercreek Road be annexed into the Oregon City city limits?

SUMMARY: Annexation is the legal process to bring property into the city limits. Property owner Kenneth Hochhalter has asked the city to bring one 11.93 acre parcel of land located east of Beavercreek Road in to the city limits. The legal description of the property is T3S R2E Section 9A Tax Lot 800.

The annexation area is located within Oregon City's Urban Growth Boundary and is contiguous to property already located in the city limits. The property is designated as Industrial on the Oregon City Comprehensive Plan land use map. The property is currently zoned County FU-10 and if the annexation is approved, it will be zoned Campus Industrial (CI). No development of the subject property is proposed. Future development of the property would require submittal of a land use application for approval by the City of Oregon City. The City Commission has concluded that the proposal meets all state, regional and City requirements for annexation into the City and services can be adequately provided to the property.

Section 4. The Notice of Ballot Title, as set forth in Exhibit 'B,' is hereby approved and the City Recorder is hereby authorized and directed to take all measures necessary for the holding of the election on the measure described in this resolution.

If the legal voters of Oregon City approve the annexation, the identified territory shall be withdrawn from the Clackamas River Water District when future development of the property occurs.

If the legal voters of Oregon City approve the annexation, the identified territory shall be withdrawn from the Clackamas County Service District for Enhanced Law Enforcement on the date the annexation becomes effective.

If the legal voters of Oregon City approve the annexation, the City Commission will concur with Tri-City Service District's annexation of the subject properties into their district in the enacting City ordinance accepting the City voter's approval.

Approved and adopted at a regular meeting of the City Commission held on the 15th day of August, 2012.

DOUG NEELEY, Mayor

Attested to this _____ day of _____ 2012 Approved as to legal sufficiency:

Nancy Ide, City Recorder

City Attorney