

RESOLUTION NO. XLIV

A RESOLUTION RELATING TO AN ANNEXATION AND BOUNDARY CHANGE FOR THE CITY OF WILSONVILLE (Application of Edwards Industries, Inc., et al)

WHEREAS, it is the desire and intent of the City of Wilsonville, Clackamas and Washington Counties, State of Oregon, to annex a part of Section 2, Township 3 South, Range 1 West of the Willamette Meridian of Washington County, State of Oregon, as hereinafter more particularly described, and all of which lies wholly within the same County, i.e., Washington County; and

WHEREAS, the territory to be annexed consists of approximately 150 acres of land, part of which is devoted to commercial use and part of which is farm land devoted to nursery crops, and the balance is vacant; and

WHEREAS, the territory to be annexed consists of five separate parcels whose owners, legal descriptions, present use and assessed values are as follows:

PARCEL 1: Tax Lot 101-351-2D:

Owner: Mobil Oil Corporation, a New York corporation  
Contract Purchaser - None  
Description:

A parcel of land in the Southeast quarter of Section 2, Township 3 South, Range 1 West, Willamette Meridian, Washington County, Oregon, more particularly described as follows:

Beginning at a point on the Northerly line of Parcel II in deed to the State of Oregon, in Deed Book 744, page 151, that is South 82° 11' 41" East, 60.57 feet from the Engineer's Stafford Road Station "S" 102+30 said Station being the Westerly point of access reserved to the grantor in said deed; thence North 0° 03' 50" West, parallel with the East boundary of that certain tract conveyed to Paul E. Doty, et al, by deed recorded in Book 268, page 301, a distance of 185.00 feet; thence North 89° 56' 10" East, 200.00 feet; thence South 0° 03' 50" East, 212.64 feet to the said Northerly line of Parcel II; thence North 82° 11' 41" West, 201.90 feet to the point of beginning.

GENERAL PRESENT USE OF PROPERTY: Commercial  
ASSESSED VALUE: Land: \$59,500.00  
Improvements: 63,800.00

PARCEL 2: Tax Lot 100-351-2D:

Owner: Paul E. Doty and Vada G. Lewis  
Contract Purchaser - None  
Description:

That portion of the Paul E. Doty and Vada G. Lewis property as described in deed recorded November 26, 1946, in Book 268, page 299, Deed Records, lying in the Southeast one-quarter and the Northeast one-quarter of Section 2, Township 3 South, Range 1 West, Willamette Meridian, Washington County, Oregon, lying Easterly of the R. H. Baldock Freeway and Northerly of Elligsen Road; EXCEPT that portion conveyed to Mobil Oil Corporation by deed recorded in Book 793, page 439, Records of Washington County.

GENERAL PRESENT USE OF PROPERTY: Vacant and Nursery Stock  
ASSESSED VALUE: Land: \$85,600.00  
Improvements: 0

PARCEL 3: Tax Lot 102-351-2D:

Owner: Edwards Industries, Inc., an Oregon corporation  
Contract Purchaser - None  
Description:

A portion of the Paul E. Doty and Vada G. Lewis property as contained in a deed recorded November 26, 1946, in Book 268, page 299, lying in the Southeast one-quarter and Northeast one-quarter of Section 2, Township 3 South, Range 1 West, Willamette Meridian, Washington County, Oregon; described as lying Westerly of the R. H. Baldock Freeway and Easterly of Boones Ferry Road (County Road #217).

EXCEPT therefrom those portions lying within the areas deeded to the State Highway Commission by deeds recorded in Book 744, pages 156 and 160; Book 744, page 151; Book 589, page 305; Book 589, page 142; and Book 461, page 371.

GENERAL PRESENT USE OF PROPERTY: Vacant  
ASSESSED VALUE: Land: \$24,900.00  
Improvements: 0

PARCEL 4: Tax Lot 101-351-2C:

Owner: Edwards Industries, Inc., an Oregon corporation  
Contract Purchaser - None  
Description:

The Northerly 800 feet of that parcel of land conveyed to Paul E. Doty in Book 397, page 679, lying Westerly of the West line of Boones Ferry Road (County Road #217); the Southerly line of said parcel being parallel to and 800 feet distance from the North line of said Doty property.

EXCEPT therefrom those portions lying within the areas deeded to the State Highway Commission by deeds recorded May 21, 1969, in Book 744, pages 156 and 160.

GENERAL PRESENT USE OF PROPERTY: Vacant  
ASSESSED VALUE: Land: \$37,700.00  
Improvements: 0

PARCEL 5: Tax Lot 100-351-2C:

Owner: Paul E. Doty and Grace E. Doty, Husband & Wife  
Contract Purchaser - None  
Description:

Beginning at the quarter section corner on the South line of Section 2, Township 3 South, Range 1 West, Willamette Meridian, Washington County, Oregon: said point being in the center of Washington County Road No. 561; thence West in the center of said road 660 feet, more or less, to a point; thence North 20 feet to the Southeast corner of that parcel of land deeded to the United States of America on Page 49 of Volume 189 deed records of Washington County; thence North on the East line of said government parcel 658.33 feet to the Northeast corner thereof; thence West 555.16 feet to the Northwest corner of said government parcel, a point in the East right-of-way line of the Bonneville Power Administration Vancouver Eugene Transmission Line; thence North following the Easterly line of said right-of-way 1880 feet, more or less, to the Northwest corner of the Paul E. Doty property as described on page 679 of volume 397, Washington County Deed Records; thence following the North line of the said Doty property East 1620 feet, more or less, to the center of State Highway No. 217; thence following the center of said highway in a Southeasterly direction to the Southernmost Northeast corner of said Doty tract; thence South 1122 feet, more or less, to the North line of County Road No. 558; thence Southwesterly along the North line of said County Road and County Road No. 561 to the quarter section corner on the South line of said Section 2, said point being the true point of beginning. Excepting herefrom those parcels deeded to the Oregon State Highway Commission on page 365 and 369 of volume 461; page 569 of volume 588; page 307 of volume 589; all volumes be deed volumes of Washington County; EXCEPT the Northerly 800 feet as more particularly described in deed to Edwards Industries, Inc., recorded September 12, 1972, in Book 887, page 234, Records of Washington County, Oregon.

GENERAL PRESENT USE OF PROPERTY: Vacant and Nursery Stock  
ASSESSED VALUE: Land: \$217,000.00  
Improvements: 0

WHEREAS, the total area comprised of the five separate parcels is contiguous to the City of Wilsonville, and the relationship of the five parcels to each other and their proximity to the existing City boundary is all shown in the topographic maps of Layne Caswell, Registered Land Surveyor, and a current aerial photograph of the area which are attached hereto as Exhibits A, B and C and incorporated herein by reference; and

WHEREAS, the owners of four of the five parcels, i.e., Paul E. Doty and Vada G. Lewis, Edwards Industries, Inc. and

Paul E. Doty and Grace E. Doty, husband and wife, have filed a formal written "APPLICATION FOR BOUNDARY CHANGE" with the Wilsonville City Council, and expressly requested the City to commence the necessary proceedings for annexing their properties to the City of Wilsonville. Mobil Oil Corporation, the owner of the fifth parcel, has expressly consented to the proposed annexation and subsequently joined with the other parties in requesting annexation to the City of Wilsonville. The initial Application for Boundary Change and subsequent consent of Mobil Oil Corporation are shown by the photocopies of those items which are attached hereto as Exhibits D and D-1 respectively which are incorporated herein by reference; and

WHEREAS, the Wilsonville City Council and the Wilsonville City Planning Commission have both considered the requests of the property owners for annexation of their properties to the City of Wilsonville, and have carefully investigated the matter and are of the opinion that it would be in the best interests of the City of Wilsonville and the inhabitants thereof if the said territory were annexed to the City of Wilsonville and for the purpose of increasing the City's tax base, providing sewer, water and other utilities and other City services to the territory in question, and also for the purpose of assuring a proper and orderly development of said property by making it subject to City zoning and building construction requirements. Sewer service can be provided to the area from the existing City facilities as determined by the City's sewer engineers, Cornell, Howland, Hayes & Merryfield of Portland, Oregon. A copy of their report sans exhibits to the City dated October 10, 1972, and with reference to the area in question is the attached Exhibit E which is incorporated herein by reference. Service of water by the City to the area in question can also be provided by and through the City's existing facilities. An engineering study of the availability of

City water for the area was made by the City's water engineer, W. J. Dorner of Portland, Oregon, and a copy of his letter reports exhibits dated October 9, 1972, is attached as Exhibit F which is incorporated by reference.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wilsonville, Clackamas and Washington Counties, Oregon, that it request and does hereby request the Portland Metropolitan Area Local Government Boundary Commission formed under ORS 199.410 to 199.540 to commence necessary proceedings for annexing to the City of Wilsonville the five separate parcels of land above described and which together comprise the following described land, to-wit:

Beginning at the Northeast corner of the Northeast quarter of the Southeast quarter of Section 2, T. 3 S., R. 1 W., W.M., Washington County, Oregon, running thence South along the East line of Section 2, 1320 feet; thence West 1320 feet; thence South 1122 feet, more or less, to the North line of County Road No. 558 (S.W. Peters Road); thence Southwesterly and Westerly along the northerly line of County Road No. 558 & 561, (S.W. Peters Road) to the Southeast corner of that tract of land designated as "Parcel No. 2" conveyed to the United States of America, as recorded in Book 189 at page 49 of the Washington County Records; thence North  $00^{\circ} 18' 29''$  W. 658.33 feet to the northeast corner of the said United States of America tract; thence South  $89^{\circ} 43' 21''$  W. 555.16 feet to the Northwest corner of said tract, which is on the West line of that tract of land conveyed to Paul E. Doty and Grace E. Doty, husband and wife, as described in Book 397 at page 679 and designated as Parcel 1; thence North to the Northwest corner of the said Doty tract; thence Easterly along the North line of the said Doty tract, and its Easterly projection to the Westerly line of that tract of land conveyed to Paul E. Doty and Vada G. Lewis as recorded in Book 268 at page 299 of the said County Records, said Westerly line being in common with the Easterly line of Boones Ferry Road; thence Northwesterly along the Westerly line of the said Doty-Lewis tract to the Northwest corner thereof; thence North  $89^{\circ} 30'$  E. 2334.51 feet to the Northeast corner of the said Doty-Lewis tract, which is on the East line of said Section 2; thence South  $0^{\circ} 24'$  W. 452.1 feet to the point of beginning.

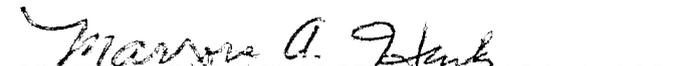
BE IT FURTHER RESOLVED that the City of Wilsonville has jurisdiction to annex the above described property, and in reliance on the Application and consent of the owners thereof, is proceeding under the provisions and authority of ORS 222.170.

BE IT FURTHER RESOLVED that the City Recorder file a copy of this Resolution with all attached Exhibits with the Boundary Commission having jurisdiction of this matter; and if said Commission takes no action in this matter within sixty (60) days from the date this Resolution is filed with the said Commission, that the City of Wilsonville shall consider that the Boundary Commission has consented to the proposed annexation, and the City of Wilsonville will then proceed to annex said property pursuant to the laws of Oregon.

This Resolution is adopted by the Wilsonville City Council and filed with the City Recorder this 13 day of November, 1973.

  
PHILLIP R. BALSIGER - Mayor

ATTEST:

  
MARJORIE A. HINTZ - City Recorder

Prepared, checked and approved:

BETTIS & REIF

  
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