



DEVELOPMENT REVIEW APPLICATION

FOR STAFF COMPLETION	
PROJECT NO.	ANX-14-01
STAFF CONTACT	Peter Spier
NON-REFUNDABLE FEE(S)	
REFUNDABLE DEPOSIT(S)	
TOTAL FEES	18,000

Type of Review (Please check all that apply):

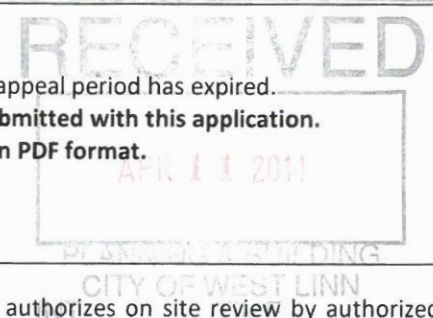
- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Annexation | <input type="checkbox"/> Historic Review | <input type="checkbox"/> Quasi-Judicial Plan or Zone Change |
| <input type="checkbox"/> Appeal and Review * | <input type="checkbox"/> Legislative Plan or Change | <input type="checkbox"/> Street Vacation |
| <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Lot Line Adjustment * / ** | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> Design Review | <input type="checkbox"/> Minor Partition (Preliminary Plat or Plan) | <input type="checkbox"/> Temporary Uses * |
| <input type="checkbox"/> Easement Vacation | <input type="checkbox"/> Non-Conforming Lots, Uses & Structures | <input type="checkbox"/> Tualatin River Greenway |
| <input type="checkbox"/> Extraterritorial Ext. of Utilities | <input type="checkbox"/> One-Year Extension * | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Final Plat or Plan | <input type="checkbox"/> Planned Unit Development | <input type="checkbox"/> Water Resource Area Protection/Wetland |
| <input type="checkbox"/> Flood Plain Construction | <input type="checkbox"/> Pre-Application Conference * | <input type="checkbox"/> Willamette River Greenway |
| <input type="checkbox"/> Hillside Protection and Erosion Control | | |

Home Occupation, Pre-Application, Sidewalk Use Application*, Sign Review Permit Application*, and Temporary Sign Permit Application require different or additional application forms, available on the City Website or at City Hall.

Site Location/Address <i>1430 Rosemont Rd</i>	Assessor's Map No.
	Tax Lot
	Total Land Area <i>2.95 Acres</i>
Brief Description of Proposal <i>Annexation into West Linn</i>	
Owner Name & Address <i>Jerry W. & Christine C. Burns</i>	<input checked="" type="checkbox"/> Check if this is the applicant. Phone <i>503 475 8007</i> Email <i>Jerryburns1@comcast.net</i>
Consultant Name & Address	<input type="checkbox"/> Check if this is the applicant. Phone Email

- All application fees are non-refundable (excluding deposit).
- The owner/applicant or their representative should be present at all public hearings.
- A denial or approval may be reversed on appeal. No permit will be in effect until the appeal period has expired.
- Three (3) complete hard-copy sets (single sided) of application materials must be submitted with this application. One (1) complete set of digital application materials must also be submitted on CD in PDF format. If large sets of plans are required in application please submit only two sets.**

* No CD required / ** Only one copy needed



The undersigned property owner(s) hereby authorizes the filing of this application, and authorizes on site review by authorized staff. I hereby agree to comply with all code requirements applicable to my application. Acceptance of this application does not infer a complete submittal. The applicant waives the right to the provisions of ORS 94.020. All amendments to the Community Development Code and to other regulations adopted after the application is approved shall be enforced where applicable. Approved applications and subsequent development is not vested under the provisions in place at the time of the initial application.

<i>[Signature]</i>	<i>[Signature]</i>	<i>4/9/14</i>
Applicant's signature		Date
<i>[Signature]</i>	<i>[Signature]</i>	<i>4/9/14</i>
Owner's signature		Date

Annexation application 1430 Rosemont Rd. West Linn, OR 97068

NARRATIVE

The area to be annexed is approximately 2.95 acres in area. The property is a single tax lot of record and is currently owned by Jerry W. and Christine C. Burns. The property owners have provided written consent for this annexation application. The property is well within the limits of the Urban Growth Boundary and the City limits. Staff has recommended applicants' request that the property be zoned R-7 consistent with nearby zoning.

81.040 COMMUNITY DEVELOPMENT CODE SECTION

- A. A petition to annex into the city of West Linn may be initiated by a property owner of the area to be annexed.

Condition met. The property owner initiated the annexation application.

- B. A pre-application conference shall be held prior to submitting an application.

Condition met. A pre-application conference was held April 3rd, 2014.

- C. A petition to annex shall include the completed petition form and three copies of the following:

1. Compliance with Metro Code Section 3.09.040.
2. A narrative addressing Code Section 2.920 and Metro Code Sections 3.09.50(D) and (E), if applicable.
3. Vicinity, legal and other maps necessary to show compliance with Code Section 2.920 and Metro Code 3.09.040.

Condition met. These materials and information are provided in the application.

- D. A petition of any type of boundary change, other than annexation shall be processed as provided by State law and Metro Code Chapter 3.09.

Not applicable. Only annexation is sought.

- E. The applicant shall pay the requisite fee.

Condition Met. The fee is included with the application.

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81.050 APPROVAL CRITERIA

The City Council shall approve or deny a boundary change proposal based on findings and conclusions addressing the following criteria:

1. *If an annexation, the proposal complies with the requirements of Code Section 2.920 (1); and,*
2. *For all boundary changes, the proposal complies with the criteria of the Metro Code Section 3.09.050 (d) and, if applicable, (e)*

Municipal Code 2.920

- (a) The subject site must be located within the Portland Metropolitan Growth Boundary.

This site is within the Portland Metropolitan Urban Growth Boundary.

- (b) The subject site must have been assigned a City Comprehensive Plan Map designation.

This site is designated as Low Density Residential on the West Linn Comprehensive Plan Map.

- (c) The subject site must be contiguous to the existing City Limits, or separated from it only by a public right-of-way, or a stream, bay, lake, or other body of water.

This site is contiguous to the existing city limits on three sides.

- (d) The requirements of Oregon Revised Statutes for initiation of the annexation process are met.

Condition met. The annexation application meets all of the relevant city of West Linn and Metro code requirement, which are consistent with the Oregon Revised Statutes.

- (e) The subject area has been included within each of the adopted City facility master plans and capital improvement plans and the subject area is planned for all needed City infrastructure.

Condition met. The property has been within the UGB and the city's planning are for an extended period. Therefore, it has been considered in recent facilities and capital improvement plans.

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Metro Code 3.09.040 Requirements for Petitions

- A. A petition for a boundary change must contain the following information:
1. The jurisdiction of the reviewing entity to act on the petition;
 2. A map and a legal description of the affected territory in the form prescribed by the reviewing entity;
 3. For minor boundary changes, the names and mailing addresses of all persons owning property and all electors within the affected territory as shown in the records of the tax assessor and county clerk and
 4. For boundary changes under ORS 198.855(3), 198.857, 222.125 or 222.170, statements of consent to the annexation signed by the requisite number of owners or electors.

Condition met. The annexation application meets all of the relevant Metro Code requirements.

- B. A city, county and Metro may charge a fee to recover its reasonable costs to carry out its duties and responsibilities under this chapter.

Condition Met. The fee is included with the application.

Metro Code 3.09.045(D) Expedited Decisions

Not applicable.

Metro Code 3.09.50 Hearing and Decision Requirements for Decisions Other Than Expedited Decisions

- A. The following requirements for hearings on petitions operate in addition to requirements for boundary changes in ORS Chapters 198, 221 and 222 and the reviewing entity's charter, ordinances or resolutions.
- B. Not later than 15 days prior to the date set for a hearing the reviewing entity shall make available to the public a report that addresses the criteria identified in subsection (D) and includes the following information:
1. The extent to which urban services are available to serve the affected territory, including any extra territorial extensions of service;

**Annexation application 1430 Rosemont Rd.
West Linn, OR 97068**

2. Whether the proposed boundary change will result in the withdrawal of the affected territory from the legal boundary of any necessary party; and
 3. The proposed effective date of the boundary change.
- C. The person or entity proposing the boundary change has the burden to demonstrate that the proposed boundary change meets the applicable criteria.
- D. To approve a boundary change, the reviewing entity shall apply the criteria and consider the factors set forth in subsections (D) and (E) of section 3.09.045.

Condition met. The annexation application meets all of the relevant Metro Code requirements.



CLACKAMAS COUNTY

Property Account Summary

As Of 4/9/2014 Status: Active

Account No.: 01660081 Alternate Property Number: 21E25CB00100
 Account Type: Real Property
 TCA: 003-031
 Situs Address: 1430 S ROSEMONT RD
 WEST LINN OR 97068
 Legal: 206 SHANNON ACRE TRACTS PT LTS 30-32

Parties:

Role	Name & Address
Owner	BURNS JERRY W & CHRISTINE C 1430 S ROSEMONT RD WEST LINN OR 97068
Taxpayer	BURNS JERRY W & CHRISTINE C 1430 S ROSEMONT RD WEST LINN OR 97068

Property Values:

Value Name	2013	2012	2011
AVR Total	\$658,346	\$639,171	\$620,554
TVR Total	\$658,346	\$639,171	\$620,554
Real Mkt Land	\$334,063	\$334,063	\$344,186
Real Mkt Bldg	\$417,830	\$421,950	\$436,400
Real Mkt Total	\$751,893	\$756,013	\$780,586

Property Characteristics:

Tax Year	Characteristic	Value
2013	Neighborhood	15871: West Linn/Lake Oswego rural 100, 101
	Land Class Category	101: Residential land improved
	Building Class Category	15: Single family res, class 5
	Year Built	1924
	Change property ratio	1XX

Exemptions:

(End of Report)

Order No: 250505

LEGAL DESCRIPTION

A tract of land situated in the Southwest one-quarter of Section 25, Township 2 South, Range 1 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, being Tract 31 and a portion of Tracts 30 and 32, SHANNON ACRE TRACTS, being more particularly described as follows:

Beginning at a point on the Southerly right of way line of Rosemont Drive (County Road No. 82), which bears South 80°13'47" East 81.08 feet from a 1/2 inch iron pipe at the Northwest corner of Tract 32, SHANNON ACRES TRACTS; thence South 00°07'36" West along the Northerly extension of the Westerly line of LIVERMORE'S SUBDIVISION NO. 1, and the Westerly line thereof, 407.32 feet to a 5/8 inch iron rod on the Northerly right of way line of Ridge Lane; thence North 89°46'02" West along said Northerly right of way line, 348.00 feet; thence North 00°00'24" West parallel with and 180.00 feet Easterly when measured at right angles to the Westerly line of said Tract 30 a distance of 280.19 feet to a 5/8 inch iron rod; thence North 89°59'36" East 84.00 feet to a 5/8 inch iron rod; thence North 00°00'24" West 43.50 feet to a 5/8 inch iron rod; thence North 89°59'36" East 73.20 feet to a 5/8 inch iron rod thence North 09°46'13" East 113.54 feet to a 5/8 inch iron rod on the Southerly right of way line of Rosemont Drive; thence South 80°13'47" East along said right of way line, 175.00 feet to the point of beginning.

21E25CB 00100

Encumbrances, continued

1. Covenants, conditions and restrictions, but omitting restrictions if any, based on race, color, religion, sex, handicap, familial status or national origin, unless and only to the extent that said covenant, (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons, imposed by instrument, including the terms and provisions thereof.

Recorded: April 30, 1962
Book: 602
Page: 791
(Affects Lot 30)



2

28
 AFTER RECORDING RETURN TO:
 Jerry M. Burns
 Christine C. Burns
 1430 Rosemont Road
 West Linn, OR 97068

Clackamas County Official Records 2003-066496
 Sherry Hall, County Clerk
 \$31.00
 00490160200300664960020024 05/27/2003 02:13:16 PM
 D-D Cheryl Sims BEVERLY
 \$10.00 \$14.00 \$18.00

Until a change is requested all tax statements shall be sent to the following address:
 Jerry W. Burns
 Christine C. Burns
 1430 Rosemont Road
 West Linn, OR 97068
 Order No: 250505

5500-37420-1711

WARRANTY DEED - STATUTORY FORM
 (INDIVIDUAL or CORPORATION)

JAY W. JORGENSEN and ANGELA K. JORGENSEN, as tenants by the entirety

CHICAGO TITLE INSURANCE COMPANY 2-50-505

Grantor, conveys and warrants to JERRY W. BURNS and CHRISTINE C. BURNS,
 husband and wife

Grantee, the following described real property free of encumbrances except as specifically set forth herein:

(Continued)

This instrument will 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 approved uses and to determine any limits on lawsuits against farming or forest practices as defined in ORS 30.930.

ENCUMBRANCES:

(Continued)

WD

The true consideration for this conveyance is \$440,000.00

Dated April 24, 2003, if a corporate grantor, it has caused its name to be signed by its board of directors.

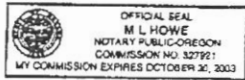
Jay W. Jorgensen
 JAY W. JORGENSEN

Angela K. Jorgensen
 ANGELA K. JORGENSEN

01660081

STATE OF OREGON, County of Multnomah ss.
 This instrument was acknowledged before me on April 24, 2003
 by Jay W. Jorgensen and Angela K. Jorgensen
 This instrument was acknowledged before me on _____
 by _____
 of _____

Notary Public for Oregon
 My commission expires: _____



CITY OF WEST LINN

CERTIFICATION OF PROPERTY OWNERSHIP

I hereby certify that the attached petition for the annexation of the territory described herein to the City of West Linn contains the names of the owners* of a majority of the land area of the territory to be annexed, as shown on the last available complete assessment roll.

NAME DJ Storm
TITLE GIS Cartographer 2
DEPARTMENT A&T
CLACKAMAS COUNTY ASSESSOR'S OFFICE
DATE 4-9-14

*"Owner" means the owner of the title to real property or the contract purchaser of real property.



CITY OF WEST LINN

CERTIFICATION OF LEGAL DESCRIPTION AND MAP

I hereby certify that the description of the property included within the attached petition, located on Assessor's Map ZS1E25CB, has been checked by me and it is a true and exact description of the property under consideration and the description corresponds to the attached map indicating the property under consideration.

NAME DJ Storm
TITLE GIS Cartographer 2
DEPARTMENT A&T
CLACKAMAS COUNTY ASSESSOR'S OFFICE
DATE 4-9-14

CERTIFICATION OF REGISTERED VOTERS
(District Double Majority Method)

I hereby certify that the attached petition for annexation of territory described herein to the CITY OF WEST LINN District contains the names of at least a majority of the electors registered in the territory to be annexed.

NAME FLOYD THOMAS

TITLE DEPUTY CLERK

DEPARTMENT ELECTIONS

COUNTY OF CLACKAMAS

DATE 4-9-14

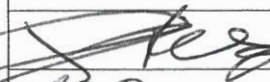

Floyd Thomas

CLACKAMAS COUNTY ELECTIONS
SHERRY HALL, COUNTY CLERK
1710 RED SOILS CT, SUITE 100
OREGON CITY, OR 97045



To the Council of the City of West Linn, Oregon

We, the undersigned owner(s) of the property described below and/or elector(s) residing at the referenced location, hereby petition for, and give consent to, annexation of said property to the City of West Linn. We understand that the City will review this request in accordance with ORS Chapter 222, and applicable regional and local policies prior to approving or denying the request for annexation.

Signature	Printed Name	I am a			Address	Property Description				Date
		PO	RV	OV		Township/ Section	Map	Tax Lot	Precinct	
	Jerry W. Burns			X	1430 Rosemount Rd Westlinn	21E25CB		100	320	4/9/14
	Christine C Burns			X	1430 Rosemount Rd Westlinn	21E25CB		100	320	4/9/14



- PO Property Owner
- RV Registered Voter
- OV Property Owner & Registered Voter

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

Initial _____

