

DEVELOPMENT REVIEW APPLICATION

For Office Use Only		
STAFF CONTACT	PROJECT NO(S): AX-16-02 / ZC-16-02	
NON-REFUNDABLE FEE(S) 18,550-	REFUNDABLE DEPOSIT(S)	TOTAL 18,550-

Type of Review (Please check all that apply):

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Annexation (ANX) | <input type="checkbox"/> Historic Review | <input type="checkbox"/> Subdivision (SUB) |
| <input type="checkbox"/> Appeal and Review (AP) * | <input type="checkbox"/> Legislative Plan or Change | <input type="checkbox"/> Temporary Uses * |
| <input type="checkbox"/> Conditional Use (CUP) | <input type="checkbox"/> Lot Line Adjustment (LLA) */** | <input type="checkbox"/> Time Extension * |
| <input type="checkbox"/> Design Review (DR) | <input type="checkbox"/> Minor Partition (MIP) (Preliminary Plat or Plan) | <input type="checkbox"/> Variance (VAR) |
| <input type="checkbox"/> Easement Vacation | <input type="checkbox"/> Non-Conforming Lots, Uses & Structures | <input type="checkbox"/> Water Resource Area Protection/Single Lot (WAP) |
| <input type="checkbox"/> Extraterritorial Ext. of Utilities | <input type="checkbox"/> Planned Unit Development (PUD) | <input type="checkbox"/> Water Resource Area Protection/Wetland (WAP) |
| <input type="checkbox"/> Final Plat or Plan (FP) | <input type="checkbox"/> Pre-Application Conference (PA) */** | <input type="checkbox"/> Willamette & Tualatin River Greenway (WRG) |
| <input type="checkbox"/> Flood Management Area | <input type="checkbox"/> Street Vacation | <input checked="" type="checkbox"/> Zone Change |
| <input type="checkbox"/> Hillside Protection & Erosion Control | | |

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

Site Location/Address:	Assessor's Map No.: 2 1E 25CC
	Tax Lot(s): 100 and 200
No address and 3015 Parker Rd., West Linn, OR 97068	Total Land Area: +/- 3.55 acres

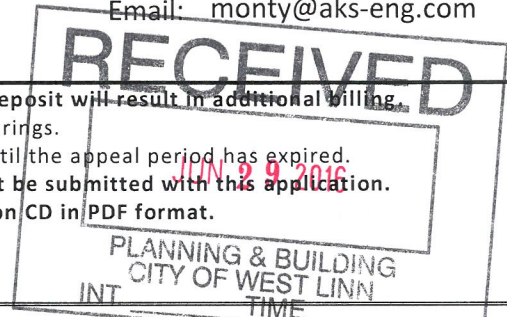
Brief Description of Proposal:

Island annexation for approximately 3.55 acres of land and change zoning from Clackamas County FU-10 to City of West Linn R-7

Applicant Name: Noell and Carol Price <small>(please print)</small>	Phone: Contact Applicant's consultant
Address: 3015 Parker Rd.	Email: see below
City State Zip: West Linn, OR 97068	

Owner Name (required): Same as Applicant, above <small>(please print)</small>	Phone:
Address:	Email:
City State Zip:	

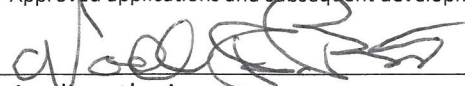
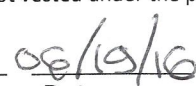
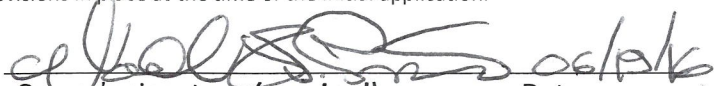

Consultant Name: Monty Hurley, P.E., PLS AKS Engineering & Forestry <small>(please print)</small>	Phone: (503) 563-6151
Address: 12965 SW Herman Rd., Suite 100	Email: monty@aks-eng.com
City State Zip: Tualatin, OR 97062	



1. All application fees are non-refundable (excluding deposit). Any overruns to deposit will result in additional billing.
2. The owner/applicant or their representative should be present at all public hearings.
3. A denial or approval may be reversed on appeal. No permit will be in effect until the appeal period has expired.
4. 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 hard-copy set 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. 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.

Annexation and Zone Change Application 3001 and 3015 Parker Road

Date: June 29, 2016

Submitted to: City of West Linn
Planning Department
22500 Salamo Road
West Linn, OR 97068

Applicant: Carol and Noell Price
3015 Parker Road
West Linn, OR 97068



12965 SW Herman Road, Suite 100
Tualatin, OR 97062
(503) 563-6151

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Exhibits

Exhibit A: Application Form and Petition

Exhibit B: Verification of Property Ownership

Exhibit C: Legal Description and Exhibit Map of Affected Territory

Exhibit D: Existing Conditions and Zoning map

Exhibit E: Property Owner Address List

Annexation and Zone Change Application for 3001 and 3015 Parker Road

Applicant:	Carol and Noell Price 3015 Parker Road West Linn, OR 97068
Property Owner:	Carol and Noell Price 3015 Parker Road West Linn, OR 97068
Applicant's Consultant:	AKS Engineering & Forestry, LLC 12965 SW Herman Road, Suite 100 Tualatin, OR 97062 (503) 563-6151 Contact: Monty Hurley, P.E., PLS
Property Address:	3001 Parker Road (Tax Lot 100) and 3015 Parker Road (Tax Lot 200), West Linn, OR 97068
Clackamas County Assessor's Map and Tax Lot:	2 1E 25CC Tax Lots 100 and 200
Property Size:	+/- 3.52 acres
Comprehensive Plan Designation:	Low-Density Residential
City Zoning Upon Annexation:	R-7 (Single-Family Residential Detached and Attached)

Application Description

Noell and Carol Price are submitting this application to annex approximately 3.52 acres of land into the City of West Linn. The subject site is located immediately north of Parker Road, between Maxfield Drive and Chinook Court. Additionally, the application seeks to replace the Clackamas County FU-10 Zoning designation with the City's R-7 Single-Family Residential Zoning District on the subject properties, which is consistent with the City's Low Density Residential Comprehensive Plan Land Use designation that currently governs these properties.

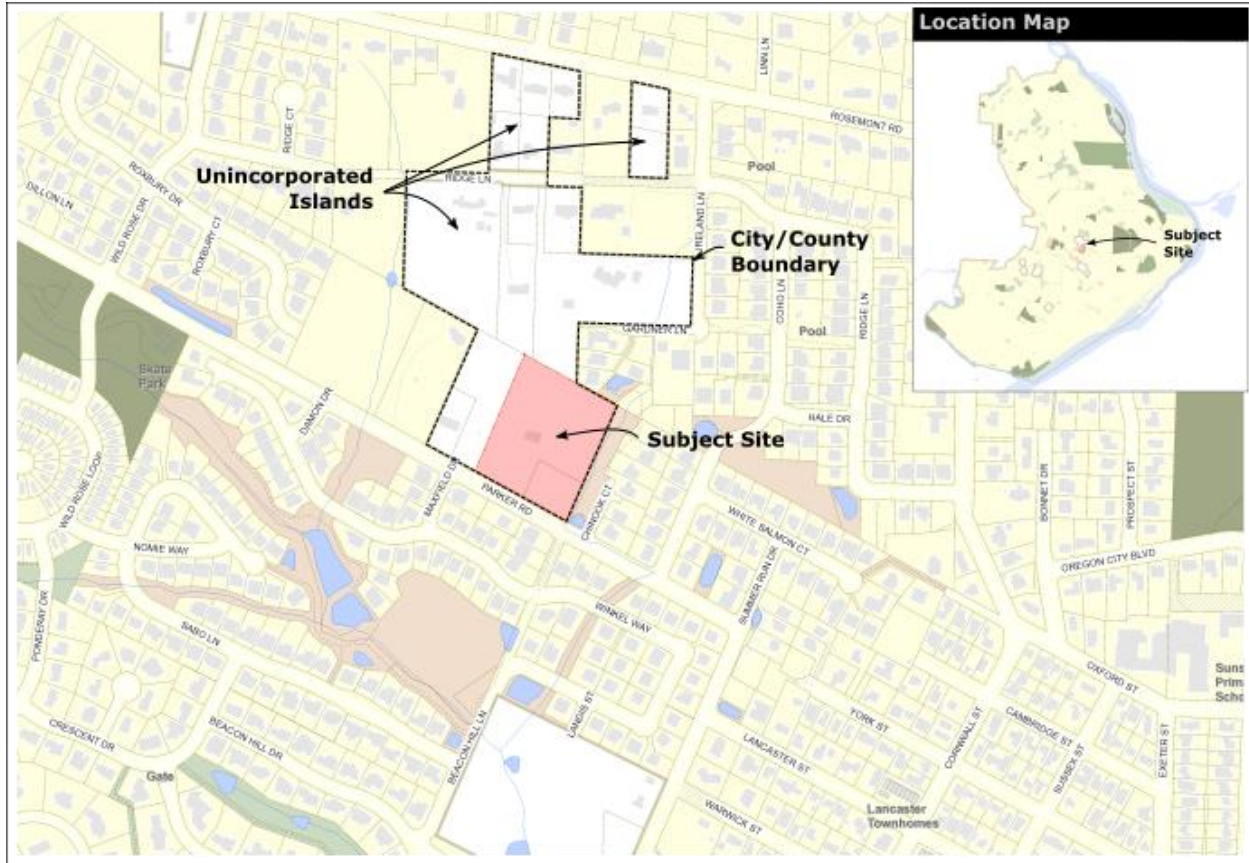
Site Description

Tax Lots 100 and 200 of Clackamas County Tax Map 2 1E 25CC make up approximately 3.52 acres of a larger island of unincorporated land located immediately north of Parker Road, between Maxfield Drive and Chinook Court. Tax Lot 100 is currently vacant while a single-family residence occupies Tax Lot 200. Abutting properties to the west and north are similarly used as single-family residences on large unincorporated properties. Properties abutting the site to the northeast and south are located in the City of West Linn and are developed as single-family residences. A City-owned stormwater drainage tract and open channel conveyance abut the site's eastern boundary.

In addition to a single-family dwelling site, the subject properties have been used as a small-scale forestry operation since 1975. Through successive harvesting and replanting of trees since 1975, the property owner has maintained a forest land tax deferral through the Oregon Department of Revenue.

The site slopes at an average grade of approximately 12%, from a high point at the northwest corner of Tax Lot 200 to a low point near the southeast corner of Tax Lot 100. As mentioned above, the site is currently used for small scale forest harvesting operations and approximately 2.9 acres of the site's 3.52-acre total area is occupied by harvestable tree stock.

Figure 1: Site and Surrounding Vicinity



Source: City West Linn GIS, 2016

DESCRIPTION OF SURROUNDING AREA

Area	Jurisdiction	Zoning	Land Uses
North	City of West Linn/Clackamas County	R-10/FU-10	Single-Family Residential
South	City of West Linn	R-10	Single-Family Residential
East	City of West Linn	R-10	Single-Family Residential
West	Clackamas County	FU-10	Single-Family Residential

PUBLIC UTILITIES

Service	Provider	Size	Location	Distance from Site
Water	City of West Linn	18"	Parker Road	Adjacent (S)
Sanitary Sewer	City of West Linn	8"	Parker Road	Adjacent (S)
Storm Sewer	City of West Linn	Open Channel	City-Owned Tract	Adjacent (E)

City Review Criteria

CITY OF WEST LINN COMMUNITY DEVELOPMENT CODE

Chapter 81 – Boundary Changes

81.010 Purpose

The purpose of this chapter is to carry out the provisions of ORS 268.354 and Metro Code Chapter 3.09. This chapter provides standards and procedures for all boundary change proposals and step one review of annexation proposals. The step one review process is a land use decision which shall determine whether the proposed annexation is consistent with the intent of the West Linn Comprehensive Plan and Community Development Code. Step two review for annexation proposals shall follow the procedures outlined in Municipal Code Chapter 2. The step two process is a legislative decision by the City Council that the proposed annexation is appropriate to be placed before the voters for a final decision. For the purpose of this chapter, the term “boundary change” includes the formation, merger, consolidation, or dissolution of a city or district; annexation or withdrawal of territory to or from a city or district, or from a city-county to a city; or an extra-territorial extension of water or sewer service by a city or district.

81.040 Petition

A. A petition to annex to the City of West Linn may be initiated by a property owner(s) of the area to be annexed, or the City, as set forth in Section 2.950(1) of the City Code.

Response: This annexation is being initiated by the owners of the subject properties. The criterion is met.

B. A prerequisite to the filing of an annexation petition is a pre-application conference at which time the Director shall explain the requirements and provide the appropriate forms as specified in CDC 99.030(B) and (C).

Response: A pre-application conference regarding this application was held with City of West Linn staff and other interested parties on April 7, 2016. The criterion is met.

C. A petition to annex shall include the completed petition form and three copies of each of the following, except for each drawing submitted, there shall be three copies at the original scale and three copies reduced to a paper size not greater than 11 inches by 17 inches.

1. The minimum petition requirements of Metro Code Section 3.09.040.
2. A narrative which addresses the approval criteria set forth in Municipal Code Section 2.920 and Metro Code Sections 3.09.050(d) and, if applicable, (e).
3. Vicinity, legal, and other descriptive maps necessary to show compliance with Municipal Code Section 2.920 and Metro Code 3.09.040.

Response: This application package includes all relevant documents and responses to all applicable Sections of Metro Code Title 3.09 as well as a Vicinity Map (Exhibit D), Legal Description (Exhibit C), and a Map of the Affected Territory (Exhibit C). Additionally, this narrative includes responses to all applicable Municipal Code criteria. The criteria are met.

- 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.
- E. The applicant shall pay the requisite fee. The fee for a boundary change shall be established by resolution of the City Council.

Response: This application includes an annexation and zone change. Responses to applicable sections of Metro Title 3.09 are included below. The City of West Linn Master Fees and Charges Schedule includes an annexation fee (Section 9.1) of \$15,000 plus \$1,000 per acre. Zone change fees are included in the cost of the annexation (see Staff’s pre-application meeting summary dated April 7, 2016). The annexation fee for this 3.52-acre site totals \$18,550. A check made payable to the City of West Linn for the abovementioned sum is included with this application. The criteria are met.

81.050 Approval Criteria

The City Council shall approve a boundary change proposal based on findings and conclusions that the proposal complies with the criteria of Metro Code Section 3.09.050(D).

Response: The applicable Metro Code criteria are responded to below. The criterion is met.

81.055 Zoning Designation

A decision on annexation shall also incorporate a decision on a zoning designation. The applicant may concurrently apply for a comprehensive plan amendment if desired. Any approval of an annexation shall designate the City zone to be applied if the annexation is approved by the voters. The City zone shall be designated based upon the existing West Linn comprehensive plan/land use designation, pursuant to the following table:

COMPREHENSIVE PLAN/LAND USE DESIGNATION	ASSIGNED ZONING DISTRICT
Low Density Residential	R-40, R-20, R-15, R-10 or R-7

Where the City Council has discretion to apply zoning, the Council shall consider the following factors in making its decision:

- A. Specific site characteristics such as topography, drainage, and existing vegetation.
- B. The existing zoning and development patterns of surrounding properties.
- C. The capacity of the City to provide road, sanitary sewer, storm drainage, and water service to the site.

Response: The City of West Linn Comprehensive Plan designates the subject site as Low Density Residential. As shown in the table above, this land use designation corresponds with residential zoning from R-7 (7,000-square foot minimum lot size) to R-40 (40,000-square foot minimum lot size).

The application involves application of the R-7 Single-Family District to the subject properties. R-7 zoning is consistent with the existing pattern of development in this area as the median lot size of all properties within one-quarter mile of the subject site is approximately 8,500 square feet. At the April 7, 2016 pre-application conference, City

Engineering staff confirmed that adequate road, sanitary sewer, storm drainage, and water service exist to accommodate development on this site at R-7 density.

Approval of this application does not authorize development of the property; however, potential future development of this site would include new sidewalks along the site's Parker Road frontage, as well as new internal streets and street stubs to provide access to homes on site and on abutting properties. Potential future development would also include the construction of new water, sanitary sewer, and stormwater facilities to serve future homes in the area. Finally, potential future residential development of the site would contribute system development charge revenue¹ to the City's water, sanitary sewer, stormwater, transportation, parks, and bicycle and pedestrian funds as a direct payment to offset long-term and ongoing impacts to City infrastructure. The criteria are met.

81.060 Expedited Process

- A. A petition for any type of minor boundary change may be processed through an expedited process as provided by Metro Code Chapter 3.09.
- B. An expedited boundary change proposal may be considered by the City Council without a public hearing. The Council decision on the proposal shall be considered the final decision for purposes of compliance with Metro Code Chapter 3.09.
- C. Petition requirements for expedited applications shall be listed in CDC 81.040, except that the initiation of an expedited boundary change petition must follow the requirements of Metro Code 3.09.045(a).
- D. Notice of petition for an expedited process must be provided a minimum of 20 days prior to the final decision and shall follow the expedited notice requirements provided in Metro Code Section 3.09.045(b).
- E. A brief report shall be issued at least seven days prior to the decision date pursuant to the requirements of Metro Code 3.09.045(c).
- F. The City Council shall approve or deny an expedited boundary change proposal based on the criteria listed in CDC 81.050.
- G. An expedited process cannot be used if a necessary party gives written notice to contest the decision pursuant to Metro Code 3.09.045(b).

Response: The City can find this minor boundary change application satisfies the eligibility criteria for an expedited process as outlined above. Responses to the applicable criteria in Metro Code Chapter 3.09 are included below.

Chapter 105 – Amendments to the Code and Map

105.010 Purpose

The purpose of this chapter is to set forth the standards and procedures for legislative amendments to this code and to the map and for the quasi-judicial changes to the map as provided by the code chapters setting forth the procedures and by the Comprehensive Plan. Amendments may be necessary from time to time to reflect

¹ Section 11 of the City's Master Fees and Charges schedule (effective July 1, 2015) lists a total SDC charge for a typical single-family residential dwelling equal to \$35,474.

changing community conditions, needs and desires, to correct mistakes or to address changes in the law.

105.030 Legislative Amendments to this Code and Map

Legislative amendments to this code and to the map shall be in accordance with the procedures and standards set forth in Chapter 98 CDC.

Response: This application does not seek a legislative change to the City's Comprehensive Plan Map or Zoning Ordinance. The application includes a quasi-judicial amendment to change the zoning designation of the subject site from the existing Clackamas County FU-10 zoning designation to the City's R-7 District, which is consistent with the Low Density Residential Land Use designation currently assigned by the West Linn Comprehensive Plan. The criterion does not apply.

105.040 Quasi-Judicial Amendments and Procedures

Quasi-judicial amendments to this code and to the map shall be in accordance with the procedures set forth in this code and the following:

- A. The Planning Commission shall make a recommendation to the Council on a zone change application which does not involve Comprehensive Plan Map amendments as provided by CDC 99.060(B).
- B. The Planning Commission shall make a recommendation to the Council on an application for a Comprehensive Plan Map amendment. The Council shall decide the application on the record as provided by CDC 99.060(C).
- C. The Planning Commission shall make a recommendation to the Council on a zone change application which also involves a concurrent application for a Comprehensive Plan Map amendment. The Council shall decide the applications on the record as provided by CDC 99.060(C).

Response: The application includes a quasi-judicial amendment to change the zoning of the subject site from the existing Clackamas County FU-10 designation to the City's R-7 Zone, which is consistent with the Low Density Residential designation assigned by the City's Comprehensive Plan. As stated above, the application does not include an amendment to the Comprehensive Plan Map. For this reason, the Planning Commission will make a recommendation to the City Council per their authority under 99.060(B).

105.050 Quasi-Judicial Amendments and Standards for Making Decision

A decision to approve, approve with conditions, or to deny an application for a quasi-judicial amendment shall be based on all of the following standards:

- A. The standards set forth in CDC 99.110(A), which provide that the decision shall be based on consideration of the following factors:
 - 1. The applicable Comprehensive Plan policies as identified in subsection C of this section and map designation.
 - 2. The applicable standards of any provision of this code or other applicable implementing ordinance.

Response: All applicable zone change criteria, including all applicable Comprehensive Plan policies identified in 105.050.C. below, are responded to within this narrative. The criteria are met.

- B. The standards set forth in CDC 99.110(B), which provide that, in making the decision, consideration may also be given to the following:

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1. Proof of change in the neighborhood or community or a mistake or inconsistency in the Comprehensive Plan or Zoning Map as it relates to the property which is the subject of the development application.
 2. Factual oral testimony or written statements from the parties, other persons and other governmental agencies relevant to the existing conditions, other applicable standards and criteria, possible negative or positive attributes of the proposal or factors in sub-section A or (B)(1) of this section.

Response: The properties that are the subject of this Annexation application exist as part of a small island (approximately 17 acres) of land that is surrounded by the City of West Linn, that remains under the jurisdiction of Clackamas County. As a result of local and regional population growth and subsequent urbanization in recent decades, the City of West Linn's corporate boundary has consumed much of the land adjacent to the subject site that was formerly under the jurisdiction of Clackamas County within the Urban Growth Boundary.

Today, this small island of County-zoned land relies on City transportation facilities and other services provided by the City of West Linn and Tualatin Valley Fire and Rescue. Additionally, the proximity of urbanized land makes farming and forestry uses increasingly incompatible with surrounding residential development. It is clear that changes in this part of Clackamas County and West Linn, namely ongoing residential development, make the annexation and rezoning of these properties inevitable.

It is important to remember that the City has been actively planning for the inclusion of this land into its corporate boundary for some time. As discussed above, West Linn's adopted Comprehensive Plan designates the subject site as appropriate for Low Density Residential development. This land use designation allows for residential development at R-7 density (7,000-square foot minimum lot size). The application provides for the establishment of R-7 zoning on this site and is therefore wholly consistent with the City's Comprehensive Plan. The criteria are met.

C. The Comprehensive Plan, Plan and Ordinance Revision Process, and Specific Policy No. 4, which provides that the decision shall be based on consideration of the following criteria:

1. Conformance with the Comprehensive Plan policies and criteria.

Response: Responses to the applicable policies of the West Linn Comprehensive Plan are included below. The criteria are met.

2. There is a public need for the change or the change can be demonstrated to be in the interest of the present and future community.
3. The changes will not adversely affect the health, safety and welfare of the community.

Response: As detailed above, the annexation and zone change included in the application are wholly consistent with the City's Comprehensive Plan. Further, as demonstrated in this narrative, all applicable approval criteria have been met or can be met through subsequent City Land Use review. Additionally, through its Comprehensive Plan, the City of West Linn has expressed a need to urbanize the subject properties in order to accommodate future residential housing demand. Impacts to the community's health,

safety, and welfare were scrutinized and determined to be acceptable upon the adoption of this Comprehensive Plan designation. Because the annexation and zone change comply with the City's planned designation, the City has already determined that this change will not adversely affect the health, safety, or welfare of the community. The criteria are met.

D. Transportation Planning Rule compliance.

1. Review of applications for effect on transportation facilities. When a development application, whether initiated by the City or by a private interest, includes a proposed comprehensive plan amendment zone change or land use regulation change, the proposal shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060 (the Transportation Planning Rule: "TPR"). "Significant" means the proposal 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:
 - 1) 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;
 - 2) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or
 - 3) 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.
2. Amendments that affect transportation facilities. Amendments to the Comprehensive Plan and land use regulations that significantly affect a transportation facility shall ensure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the TSP. This shall be accomplished by one or a combination of the following:
 - a. Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.
 - b. Amending the TSP or Comprehensive Plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of OAR 660-012-0060 of the TPR.

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- c. Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes of transportation.
 - d. Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.
3. Traffic impact analysis. A traffic impact analysis shall be submitted with a plan amendment or land use district change application.

Response: As discussed above, the Comprehensive Plan currently designates the subject properties as Low Density Residential, which corresponds to the R-7 zoning designation. No amendment to this Comprehensive Plan land use designation, nor any other regulation, is included in the application. The criteria do not apply.

CITY OF WEST LINN COMPREHENSIVE PLAN

Applicable Policies

Goal 1 Citizen Involvement

- Pol. 4 Provide timely and adequate notice of proposed land use matters to the public to ensure that all citizens have an opportunity to be heard on issues and actions that affect them.

Response: Chapter 99 of the West Linn Community Development Code (CDC) implements this Goal through a robust process for public involvement that is part of all annexations. CDC Chapter 99 requires a pre-application conference that the public may attend and at which the public may raise questions; mailed notice of the proposed annexation to nearby property owners; posted on-site notice of the application; a public notice of the application published in the local newspaper; the ability of the public to submit written comments (that will be forwarded to the Planning Commission and City Council) regarding the application; a public hearing before the Planning Commission, where oral public testimony may be delivered; and a public hearing before the City Council where another opportunity to provide oral testimony is available.

The City of West Linn also maintains a comprehensive and up-to-date online project website, where members of the public may access all project-related documents and exhibits. The application is therefore consistent with the applicable Citizen Involvement Policies of the West Linn Comprehensive Plan.

Goal 10 Housing

- Pol. 2 Provide the opportunity for development of detached and attached single-family units, duplexes, garden apartments, town houses, row houses, multiplex units and boarding houses, lodging and rooming houses, and manufactured housing.

Response: While this application does not involve new home construction on the subject property, annexing this land into the City of West Linn is the first in a series of steps that ultimately creates new opportunities for home ownership in West Linn. The City's R-7 Single-Family Residential District allows attached and detached single-family residential units as sought in Policy 2 above. The Policy is met.

Goal 11 Public Facilities and Services

Pol. 6 Encourage cooperation and coordination between all public service agencies to maximize the orderly and efficient development and provision of all services.

Response: As mentioned above, the City requires a pre-application conference prior to accepting an application for annexation. Affected public service agencies are invited to attend and/or submit feedback during the pre-application meeting. Additionally, the City provides notice to potentially affected public service agencies of the application and notice of public hearings before the Planning Commission and City Council. These opportunities for outreach encourage cooperation and coordination between the City and potentially affected public service agencies and facilitate orderly development and service provision. The Policy is met.

Pol. 11 Assure that costs for new infrastructure and the maintenance of existing infrastructure are borne by the respective users except when it is determined that improvements are of benefit to the whole community, or that a different financing mechanism is more appropriate.

Response: Although no new development will take place as a result of this annexation and zone change, potential future development of these properties would include the provision of all necessary infrastructure to serve new homes. Additionally, the City collects approximately \$35,474 in SDC revenues for each new home constructed in the City. These SDC revenues will be used to offset City-wide impacts to parks, streets, water, sanitary sewer service, and demand for public services generated by new residents in the area. The Policy can be met.

Sect. 4

Pol. 3 Determine if areas proposed for annexation into the City can be served with an adequate level of fire and police protection, and ascertain the impact of the proposed annexation on the existing facilities and services. These findings will be considered in making a determination as to whether it is in the best interest of the City to annex the area.

Response: As mentioned above, the properties subject to this application are located in an unincorporated island of land that is completely surrounded by the City of West Linn. The City of West Linn currently provides police service to this and all abutting properties and Tualatin Valley Fire and Rescue (TVF&R) currently provides fire protection service to the same. Property tax revenues and SDC fees collected by the City during potential future home construction will generate revenues to offset service costs incurred by these agencies. Because these properties are already served by local emergency services and because new home construction will generate additional revenues for these service providers, it is in the City's interest to annex these properties. The Policy is met.

Goal 14 Urbanization

Pol. 1 Promote cooperation between the City, County, and regional agencies to ensure that urban development is coordinated with public facilities and services within the Urban Growth Boundary.

Pol. 5 Ensure that annexation of new territory or expansion of West Linn's Urban Service Boundary does not:

- a) Detract from the City's ability to provide services to existing City residents; or,

-
- b) Result in property owners paying for urban services that do not benefit their property.

Pol. 7 Discourage the creation of new, unincorporated islands.

Pol. 10 Coordinate land use planning with property owners in areas being considered for future urbanization prior to annexation.

Response: As mentioned throughout this narrative, the adopted Comprehensive Plan (and the public outreach and coordination between affected stakeholders and interested parties which occurs as part of that process) and the procedural requirements for an annexation and zone change application (i.e., pre-application conference, public notices, and public hearings) ensures that opportunities for input and cooperation as expressed in the above Policies are honored. As also mentioned above, potential future development of these properties requires the full range of infrastructure improvements necessary to serve new homes. At the time of new home construction, the City will also assess SDC fees to offset impacts to facilities and services City-wide.

Finally, the annexation will incorporate land that is currently within an unincorporated island, supporting the City's efforts to reduce the area of these islands. These Policies are met.

CITY OF WEST LINN MUNICIPAL CODE

Sections 2.915 – 2.960 – Annexations

2.915 Annexation Purpose Statement.

- (1) The purpose of Sections 2.915 to 2.940 is to establish a two-step process for annexation applications. The first step is a land use decision. The second step is a policy decision to determine if the annexation should be referred to the voters. The Step 1 and Step 2 decisions can occur at the same meeting. An annexation to the City shall not be effective unless it is approved by a majority vote among the City's electorate, and by Metro pursuant to its authority regarding annexations within its boundaries.
- (2) The procedures and standards established in this chapter are required for review of proposed annexations in order to:
 - (a) Provide adequate public notice, information and sufficient time for public review before annexation hearings and elections; and
 - (b) Maximize citizen involvement in the annexation review process.

Response: Senate Bill 1573, which was signed into law by Governor Kate Brown on March 15, 2016, repeals the City's authority to require a public election to determine the outcome of an annexation where such annexation is consented to by all owners of land in the territory, the territory is within an existing Urban Growth Boundary, the territory will be subject to the City's Comprehensive Plan, the territory is contiguous to the existing City boundary, and the application conforms to other City ordinances. Because this narrative and accompanying exhibits demonstrate the annexation satisfies the criteria in Senate Bill 1573, the City may not hold a public vote to determine whether or not this annexation occurs. The criteria do not apply.

2.920 Step 1: Land Use Decision.

When an annexation application has been properly initiated pursuant to ORS 222.125, 222.170, 222.111, or 222.840, Step 1 shall include review of the land use aspect of the petition pursuant to Community Development Code Chapter 81. If the application receives Council approval through the Step 1 process, the Council shall proceed to Step 2. A determination that the application meets the land use requirements does not obligate the City to approve the annexation application and place it on the ballot in Step 2.

Response: As detailed throughout this narrative, the application satisfies all criteria from Chapter 81 of the City's Community Development Code. The criteria in Step One are met.

The final sentence from Section 2.920 above, which outlines the City's policy authority in Step Two, is no longer valid following the passage of Senate Bill (SB) 1573. SB 1573 obligates the City Council to approve this annexation because the criteria explicit in that Bill have been met. The Step Two criteria do not apply.

2.930 Step 2: Policy Decision.

- (1) Step 2 of the annexation process is a policy decision. The Council may, in its discretion, pass a resolution placing an annexation request on a ballot before the voters, as required by the City Charter, at any election.
- (2) A public hearing may be scheduled when required by State law or Metro Code. At the hearing, any person may appear and be heard on the question of whether the annexation request should be presented to the voters. Notice of the Step 2 public hearing shall be published in accordance with State law and the Metro Code.
- (3) The City Council may deny an annexation acting in its legislative capacity even after it has approved the annexation application through the Step 1 process. A decision to deny an annexation in Step 2 shall be specifically stated in the record and noted as a legislative act separate and apart from the land use decision in Step 1.

Response: As stated above, in accordance with SB 1573, the City is obligated to approve this annexation because the criteria explicit in the statute are met; SB 1573 abolishes the City's policy authority in Section 2.930 above. The criteria do not apply.

2.935 Election Costs.

The applicant shall be responsible for all costs incurred by the City in processing the application, including the City's anticipated election costs. In the event that other City items are included in the same election, the applicant shall be responsible only for a pro-rata portion of any shared costs. If the election is concurrent with the primary or general election of an even-numbered year, the applicant is not responsible for any election costs.

Response: The appropriate annexation fees were submitted to the City with this annexation application. As discussed above, an election to determine the outcome of this annexation will not occur. Therefore, election and related costs will not be incurred by the City. The criterion does not apply.

Because the City's annexation fee accounts for staff time to process matters related to annexation elections, the Applicant requests a refund from the City for the unused

portion of the annexation fee (annexation fee minus staff time) following the approval of this application.

METRO CODE

Title III. Planning

Chapter 3.09 Local Government Boundary Changes

3.09.010 Purpose and Applicability

The purpose of this chapter is to carry out the provision of ORS 268.347 to 268.354. This chapter applies to boundary changes within the boundaries of Metro or of urban reserves designated by Metro and any annexation of territory to the Metro boundary. Nothing in this chapter affects the jurisdiction of the Metro Council to amend the region's Urban Growth Boundary (UGB).

Response: Chapter 3.09 of the Metro Code implements those Oregon Revised Statutes in Sections 268.347 through 268.354 relating to boundary changes within a metropolitan service district. The criteria responded to in this narrative fully implement the relevant State statutes. Therefore, these findings demonstrate that Metro and State annexation criteria are met.

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;

Response: The Applicant seeks annexation into the incorporated limits of the City of West Linn. The City of West Linn has jurisdiction over amendments/annexations into its corporate boundary. The criterion is met.

2. A map and a legal description of the affected territory in the form prescribed by the reviewing entity;

Response: A map and legal description of the affected territory are included in Exhibit C. The criterion is met.

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

Response: The names and mailing addresses of all persons owning property and all electors within the affected territory are included in Exhibit E. The criterion is met.

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.

Response: Signed statements of consent to the annexation are included in Exhibit A. The criterion is met.

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.

Response: The Applicant has enclosed a check made payable to Metro in the amount of \$250 for the annexation review fee² and a check to the City of West Linn in the amount of \$18,550. The criterion is met.

3.09.050 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.

Response: The applicable provisions of the above listed Oregon Revised Statutes are implemented through the City of West Linn's Municipal and Zoning Codes. Responses to these criteria are included in the main narrative of this annexation application. The criteria are met.

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;
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.

Response: This Subsection describes obligations of the City of West Linn and Metro. Responses to the criteria in Subsection D are included below. The boundary change will result in the withdrawal of the affected territory from the legal boundary of Clackamas County and the Clackamas County Enhanced Law Enforcement District. The Applicant expects that this annexation will become effective by September 2016. The criteria can be met.

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.

Response: All applicable annexation criteria are included here and in the above application narrative. The Applicant's responses to these criteria demonstrate that adequate public services are or can be made available to serve potential future development on this site. The applicable criteria are met.

3.09.045 Expedited Decisions

D. To approve a boundary change through an expedited process, the city shall:

1. Find that the change is consistent with expressly applicable provisions in:

² This fee was derived from information contained on Metro's website: *Annexation and boundary change information: Fee schedule: 1 to 5 acres* – <http://www.oregonmetro.gov/tools-partners/data-resource-center/annexation-and-boundary-change-information>. [Accessed June 3, 2016].

-
- a. Any applicable urban service agreement adopted pursuant to ORS 195.065;
 - 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;
 - e. Any applicable comprehensive plan;
 - f. Any applicable concept plan; and

Response: The City of West Linn and Clackamas County do not maintain an urban services agreement, annexation plan, or cooperative planning agreement. As discussed above, the annexation is consistent with the City of West Linn’s Comprehensive Plan, which establishes a Low Density Residential Land Use designation on the subject properties. Finally, the City’s most recently adopted Transportation Systems Plan (which is not effective until September 2016) shows a new east-west connection through this area, originating at Roxbury Drive. Potential future development of these properties will be in accordance with all applicable standards. The criteria are met.

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 or services.

Response: As confirmed by staff at the April 7, 2016 pre-application conference, adequate urban services are currently available to serve future development on these properties. An 8-inch PVC sanitary sewer main and an 18-inch ductile iron water main are located in Parker Road. Future stormwater runoff generated by potential future development on the site will be directed to an existing drainageway and stormwater management facility east of the site.

Potential future development that could follow this boundary change would improve the long-term quality of the local transportation system by potentially establishing portions of a new east-west street connection between Roxbury Drive and Parker Road and a new north-south street connection between Parker Road and Ridge Lane. This future development will similarly facilitate the installation of new utilities and easements necessary for the urbanization of the remaining unincorporated properties in this area. The criteria are met.

- E. A city may not annex territory that lies outside the UGB, except it may annex a lot or parcel that lies partially within and partially outside the UGB.

Response: As shown on Exhibit C, the properties included in this annexation are within the Metro UGB. The criterion does not apply.

Conclusion

The submittal requirements have been met and the required responses have been provided for all applicable approval criteria. These findings serve as the basis for the City of West Linn to approve the application and are supported by substantial evidence in the application materials. Therefore, the City can rely upon this information in its approval of the application.



Exhibit A: Application Form and Petition

DEVELOPMENT REVIEW APPLICATION

For Office Use Only		
STAFF CONTACT	PROJECT No(s).	
NON-REFUNDABLE FEE(S)	REFUNDABLE DEPOSIT(S)	TOTAL

Type of Review (Please check all that apply):

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Annexation (ANX)
<input type="checkbox"/> Appeal and Review (AP) *
<input type="checkbox"/> Conditional Use (CUP)
<input type="checkbox"/> Design Review (DR)
<input type="checkbox"/> Easement Vacation
<input type="checkbox"/> Extraterritorial Ext. of Utilities
<input type="checkbox"/> Final Plat or Plan (FP)
<input type="checkbox"/> Flood Management Area
<input type="checkbox"/> Hillside Protection & Erosion Control | <input type="checkbox"/> Historic Review
<input type="checkbox"/> Legislative Plan or Change
<input type="checkbox"/> Lot Line Adjustment (LLA) */**
<input type="checkbox"/> Minor Partition (MIP) (Preliminary Plat or Plan)
<input type="checkbox"/> Non-Conforming Lots, Uses & Structures
<input type="checkbox"/> Planned Unit Development (PUD)
<input type="checkbox"/> Pre-Application Conference (PA) */**
<input type="checkbox"/> Street Vacation | <input type="checkbox"/> Subdivision (SUB)
<input type="checkbox"/> Temporary Uses *
<input type="checkbox"/> Time Extension *
<input type="checkbox"/> Variance (VAR)
<input type="checkbox"/> Water Resource Area Protection/Single Lot (WAP)
<input type="checkbox"/> Water Resource Area Protection/Wetland (WAP)
<input type="checkbox"/> Willamette & Tualatin River Greenway (WRG)
<input checked="" type="checkbox"/> Zone Change |
|---|--|--|

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

Site Location/Address:	Assessor's Map No.: 2 1E 25CC
No address and 3015 Parker Rd., West Linn, OR 97068	Tax Lot(s): 100 and 200
	Total Land Area: +/- 3.55 acres

Brief Description of Proposal:

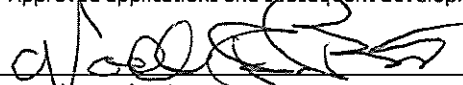
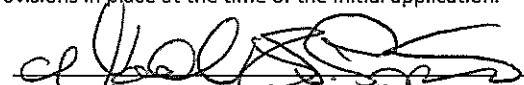
Island annexation for approximately 3.55 acres of land and change zoning from Clackamas County FU-10 to City of West Linn R-7

Applicant Name: Noell and Carol Price <small>(please print)</small>	Phone: Contact Applicant's consultant
Address: 3015 Parker Rd.	Email: see below
City State Zip: West Linn, OR 97068	
Owner Name (required): Same as Applicant, above <small>(please print)</small>	Phone:
Address:	Email:
City State Zip:	
Consultant Name: Monty Hurley, P.E., PLS AKS Engineering & Forestry <small>(please print)</small>	Phone: (503) 563-6151
Address: 12965 SW Herman Rd., Suite 100	Email: monty@aks-eng.com
City State Zip: Tualatin, OR 97062	

1. All application fees are non-refundable (excluding deposit). Any overruns to deposit will result in additional billing.
2. The owner/applicant or their representative should be present at all public hearings.
3. A denial or approval may be reversed on appeal. No permit will be in effect until the appeal period has expired.
4. 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.


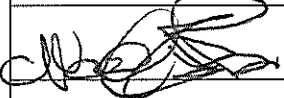
* No CD required / ** Only one hard-copy set needed

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. 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.

 Applicant's signature	08/19/16 Date	 Owner's signature (required)	08/19/16 Date
---	------------------	--	------------------

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, 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 Lots	Precinct	
	Carol Price			✓	3015 Parker Road, West Linn, OR 97068	2S/25	2-1E- 25CC	00100, 00200	320 320	6/19/16
	Noell Price			✓	3015 Parker Road, West Linn, OR 97068	2S/25	2-1E- 25CC	00100, 00200	320 320	6/19/16

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

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

Initial 

CITY OF WEST LINN

CERTIFICATION OF PROPERTY OWNERSHIP

I hereby certify that the attached petition for 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 Mary Neigel
TITLE Cartographer II
DEPARTMENT Assessment & Tax
CLACKAMAS COUNTY ASSESSOR'S OFFICE
DATE 06.09.16

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

* * * * *

CERTIFICATION OF REGISTERED VOTERS

I hereby certify that the attached petition for annexation of territory described herein to the City of West Linn contains the names of at least a majority of the electors registered in the territory to be annexed.

NAME _____
TITLE _____
DEPARTMENT _____
CLACKAMAS COUNTY ASSESSOR'S OFFICE
DATE _____



Exhibit B: Verification of Property Ownership



First American Title

Customer Service Department
121 SW Morrison St., Suite 300
Portland, OR 97204
Phone: 503.219.TRIO (8746)
Fax: 503.790.7872
Email: cs.portland@firstam.com
Date: 6/21/2016

OWNERSHIP INFORMATION

Owner: Noell Price
Coowner:
Site: 97068
Mail: 3015 S Parker Rd West Linn OR 97068

Parcel #: 00377782
Ref Parcel #: 21E25CC00100
TRS: T: 02S R: 01E S: 25 Q: SW
County: Clackamas

PROPERTY DESCRIPTION

Map Grid: 686-J7
Census Tract: 020600 Block: 3050
Neighborhood: PARKER CREST
School Dist: 3J WEST LINN-WILSONVILLE
Subdiv/Plat:
Land Use: ATIM TIMBER
Zoning: Clackamas Co.-FU10 Future Urbanizable 10 Acre District
Watershed: Abernethy Creek-Willamette River
Legal: Section 25 Township 2S Range 1E Quarter CC TAX LOT 00100|Y

ASSESSMENT AND TAXATION

Market Land: \$127,658
Market Impr: \$0
Market Total: \$127,658 (2015)
% Improved:
Assessed Total: \$234 (2015)
Levy Code: 003-031
Tax: \$4.07 (2015)
Millage Rate: 17.3897

PROPERTY CHARACTERISTICS

Bedrooms:	Building Area:	Year Built:
Baths, Total: 0.00	First Floor:	Eff Year Built:
Baths, Full:	Second Floor:	Lot Size: .55 Acres
Baths, Half:	Basement Fin:	Lot Size: 23,958 SqFt
Total Units:	Basement Unfin:	Lot Width:
# Stories: 0.00	Basement Total:	Lot Depth:
# Fireplaces:	Attic Fin:	Roof Material:
Cooling: No	Attic Unfin:	Roof Shape:
Heating:	Attic Total:	
Ext Walls:	Garage:	
Building Style:		Const Type: 0.0

SALES AND LOAN INFORMATION

Owner	Date	Doc #	Sale Price	Deed Type	Loan Amt	Loan Type
PRICE LIVING TRUST	10/18/10	0000065643		Quit Claim		
	10/06/10	2010-065643				Conv/Unk

This title information has been furnished without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.



First American Title

Customer Service Department
121 SW Morrison St., Suite 300
Portland, OR 97204
Phone: 503.219.TRIO (8746)
Fax: 503.790.7872
Email: cs.portland@firstam.com
Date: 6/21/2016

OWNERSHIP INFORMATION

Owner: Noell Price
Coowner:
Site: 3015 S Parker Rd West Linn 97068
Mail: 3015 S Parker Rd West Linn OR 97068

Parcel #: 00377826
Ref Parcel #: 21E25CC00200
TRS: T: 02S R: 01E S: 25 Q: SW
County: Clackamas

PROPERTY DESCRIPTION

Map Grid: 686-J6
Census Tract: 020600 Block: 3050
Neighborhood: PARKER CREST
School Dist: 3J WEST LINN-WILSONVILLE
Subdiv/Plat:
Land Use: ATIM TIMBER
Zoning: Clackamas Co.-FU10 Future Urbanizable 10 Acre District
Watershed: Abernethy Creek-Willamette River
Legal: Section 25 Township 2S Range 1E Quarter CC TAX LOT 00200|Y

ASSESSMENT AND TAXATION

Market Land: \$232,474
Market Impr: \$171,000
Market Total: \$403,474 (2015)
% Improved: 42
Assessed Total: \$202,402 (2015)
Levy Code: 003-031
Tax: \$3,332.68 (2015)
Millage Rate: 17.3897

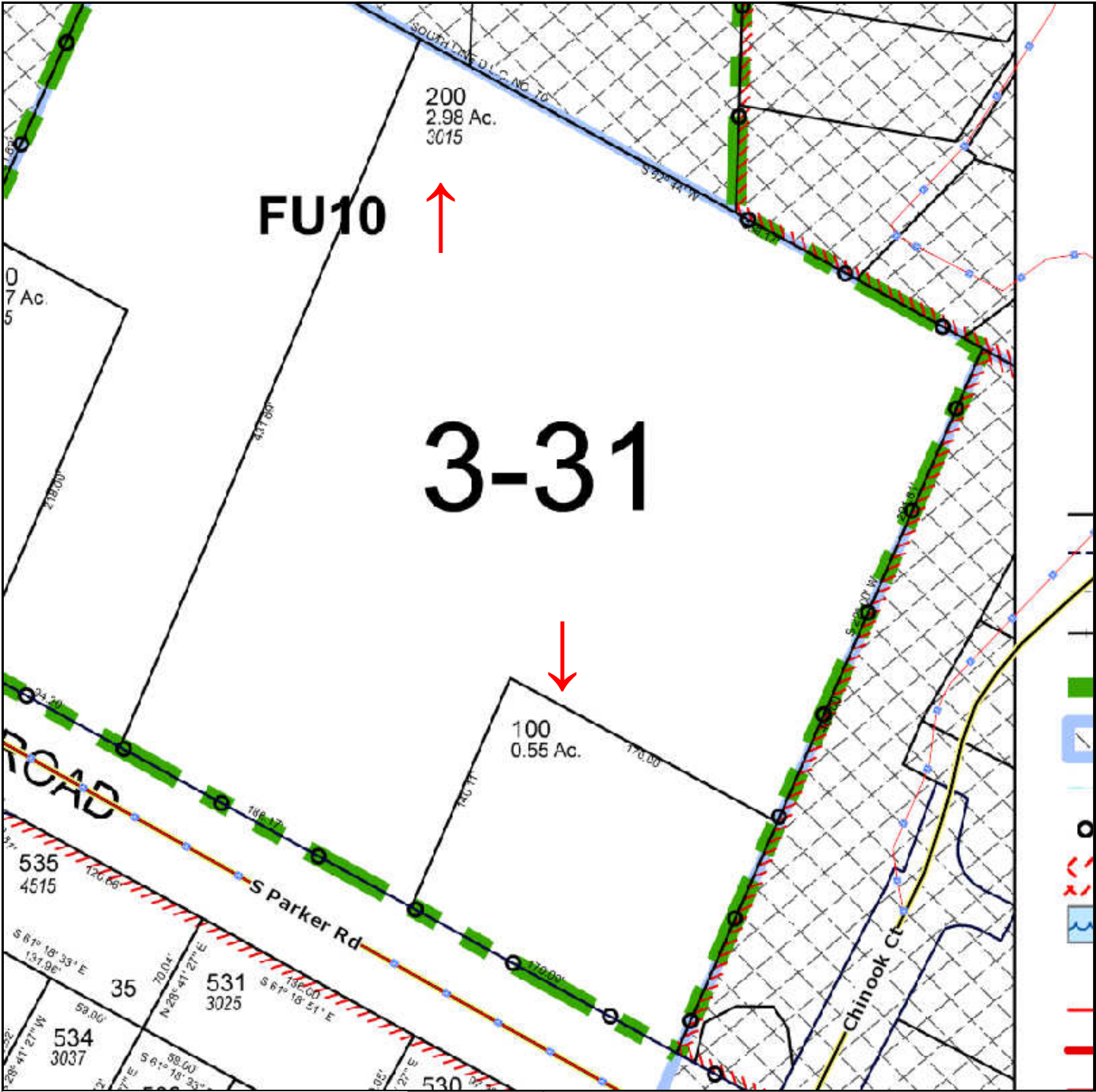
PROPERTY CHARACTERISTICS

Bedrooms: 3	Building Area: 2,388 SqFt	Year Built: 1974
Baths, Total: 2.00	First Floor: 1,724 SqFt	Eff Year Built:
Baths, Full: 2	Second Floor:	Lot Size: 2.98 Acres
Baths, Half:	Basement Fin: 434 SqFt	Lot Size: 129,809 SqFt
Total Units: 1	Basement Unfin:	Lot Width:
# Stories: 1.00	Basement Total: 434 SqFt	Lot Depth:
# Fireplaces: 1	Attic Fin:	Roof Material:
Cooling: No	Attic Unfin:	Roof Shape:
Heating: Forced Air	Attic Total:	
Ext Walls: 2	Garage:	
Building Style: 14 Single family res, class 4		Const Type: 6.0

SALES AND LOAN INFORMATION

Owner	Date	Doc #	Sale Price	Deed Type	Loan Amt	Loan Type
PRICE NOELL H TR	10/06/10	0000065643		Grant		Conv/Unk
PRICE,NOELL H & CAROL F	03/15/10	0000015829		Trust	\$306,000	Conv/Unk

This title information has been furnished without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.



FU10

3-31

200
2.98 Ac.
3015

100
0.55 Ac.

ROAD

S Parker Rd

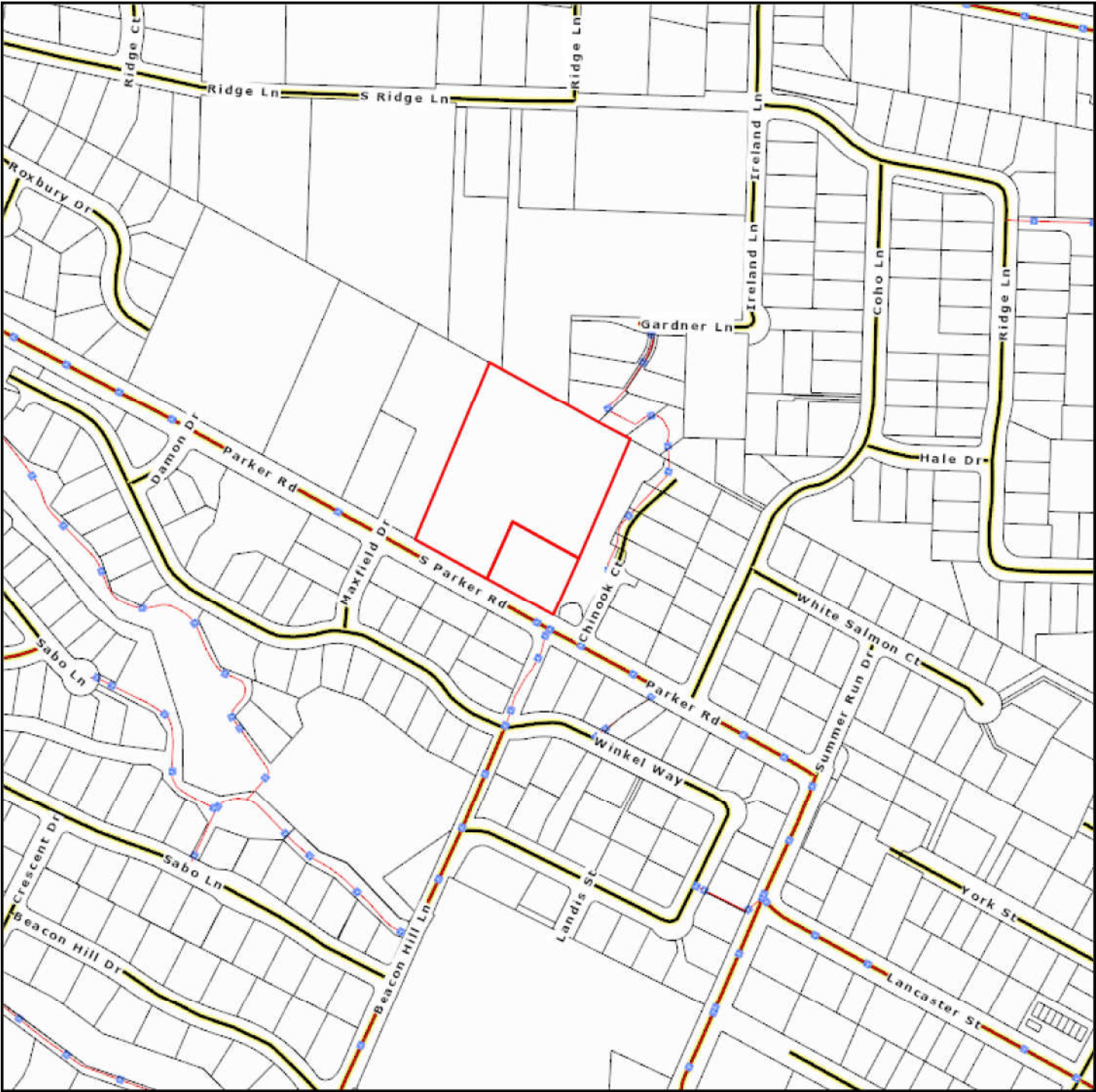
Chinook Ct



First American Title

This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

geoAdvantage



First American Title

This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

geoAdvantage

3/3

Clackamas County Official Records
Sherry Hall, County Clerk

2010-065643

MAIL TAX STATEMENTS TO:
Trustee of the Price Living Trust
3015 Parker Road
West Linn, OR 97068



\$57.00

01443038201000656430030038

10/18/2010 02:20:05 PM

D-D Cnt=1 Stn=9 DIANNAW
\$15.00 \$10.00 \$16.00 \$16.00

AFTER RECORDING RETURN TO:
Jeffrey G. Moore, Attorney
Saalfeld Griggs, PC
PO Box 470
Salem, OR 97308

WARRANTY DEED

Noell H. Price and Carol F. Price, husband and wife, Grantors, convey to **Noell H. Price and Carol F. Price, Trustees of the Price Living Trust** dated October 6, 2010, and any amendments thereto, Grantee, the following described real property situated in the County of Clackamas, State of Oregon:

See Exhibit "A" attached hereto and made a part hereof by this reference.

Grantors covenant that Grantors are seized of an indefeasible estate in the real property described above in fee simple, that Grantors have good right to convey the property, that the property is free from encumbrances except as specifically set forth herein, and that Grantors warrant and will defend the title to the property against all persons who may lawfully claim the same by, through, or under Grantors, provided that the foregoing covenants are limited to the extent of coverage available to Grantors under any applicable standard or extended policies of title insurance, it being the intention of the Grantors to preserve any existing title insurance coverage.

This deed is executed to partially fund a trust of Grantors, and the true and actual consideration stated in terms of dollars is NONE.

The following is the notice as required by Oregon law: "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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009."

WITNESS Grantors' hand this 6th day of October, 2010.

Noell H. Price
Noell H. Price

Carol F. Price
Carol F. Price

STATE OF OREGON)
) ss.
COUNTY OF MARION)

On this 6th day of October, 2010 personally appeared the above named **Noell H. Price** and **Carol F. Price** and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:



Rebecca Ann Rife
Notary Public for Oregon
My Commission Expires: 4/7/13

EXHIBIT "A"

Part of the Julia Ann Lewis, D.L.C. No. 54 located in the Southwest quarter of the Section 25, T. 2S, R. 1E., of the W.M., in Clackamas County, Oregon, described as follows:

BEGINNING at a stake in the Northeast boundary line of said D.L.C. 758.46 feet, South 63° East from a stone set in said Northeast boundary line, South 63° East, 26 chains from the North corner of said claim; thence South 22° West 462 feet to the center of the County Road No. 375; thence South 63° East along the center of said County Road, a distance of 1089.54 to the Southwest corner of the tract conveyed to Howard M. Colton, et ux, by Deed Book 592, Page 441, said point being the true point of beginning of the tract herein to be described; thence North 22° East, a distance of 462 feet to a stone set in the Northeasterly boundary line of said claim that is 54 chains South 63° East, from the most Northerly corner of said claim; thence North 63° West, along the Northeasterly boundary line of said D.L.C., a distance of 356.17 feet to the Northeast corner of that tract conveyed by contract to Ronald N. Milner, et ux, by Recorder's Fee No. 70-10154; thence South 22° West along the East line of the Milner Tract, a distance of 462 feet to a point in the center of the County Road No. 375; thence South 63° East, along said center line, a distance of 356.17 feet to the point of beginning.

Exhibit C: Legal Description and Exhibit Map of Affected Territory



AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 .F: (503) 563-6152

AKS Job #5132

OFFICES IN: TUALATIN, OR - VANCOUVER, WA - SALEM-KEIZER, OR

EXHIBIT A

Legal Description

A tract of land located in the Southwest One-Quarter of Section 25, Township 2 South, Range 1 East, Willamette Meridian, Clackamas County, Oregon and being more particularly described as follows:

Beginning at the most northerly corner of Tract 'B' of the plat "Chinook Terrace", also being the most easterly corner of Document Number 2010-065643, and the City of West Linn city limits line; thence along the northeasterly line of said Document Number and a portion of said city limits line North 63°00'00" West 356.17 feet to the most northerly corner of said Document Number; thence along the northwesterly line of said Document Number South 22°00'00" West 431.89 feet to the northeasterly right-of-way line of Parker Road (30.00 feet from centerline), and the City of West Linn city limits line; thence along said right-of-way line and said city limits line South 63°00'00" East 356.17 feet to the most westerly corner of Tract 'B' of the plat "Chinook Terrace", also being a point on the southeasterly line of said Document Number; thence leaving said right-of-way line along said southeasterly line and said city limits line North 22°00'00" East 431.89 feet to the Point of Beginning.

The above described tract of land contains 3.52 acres, more or less.

5/19/2014



Nick White

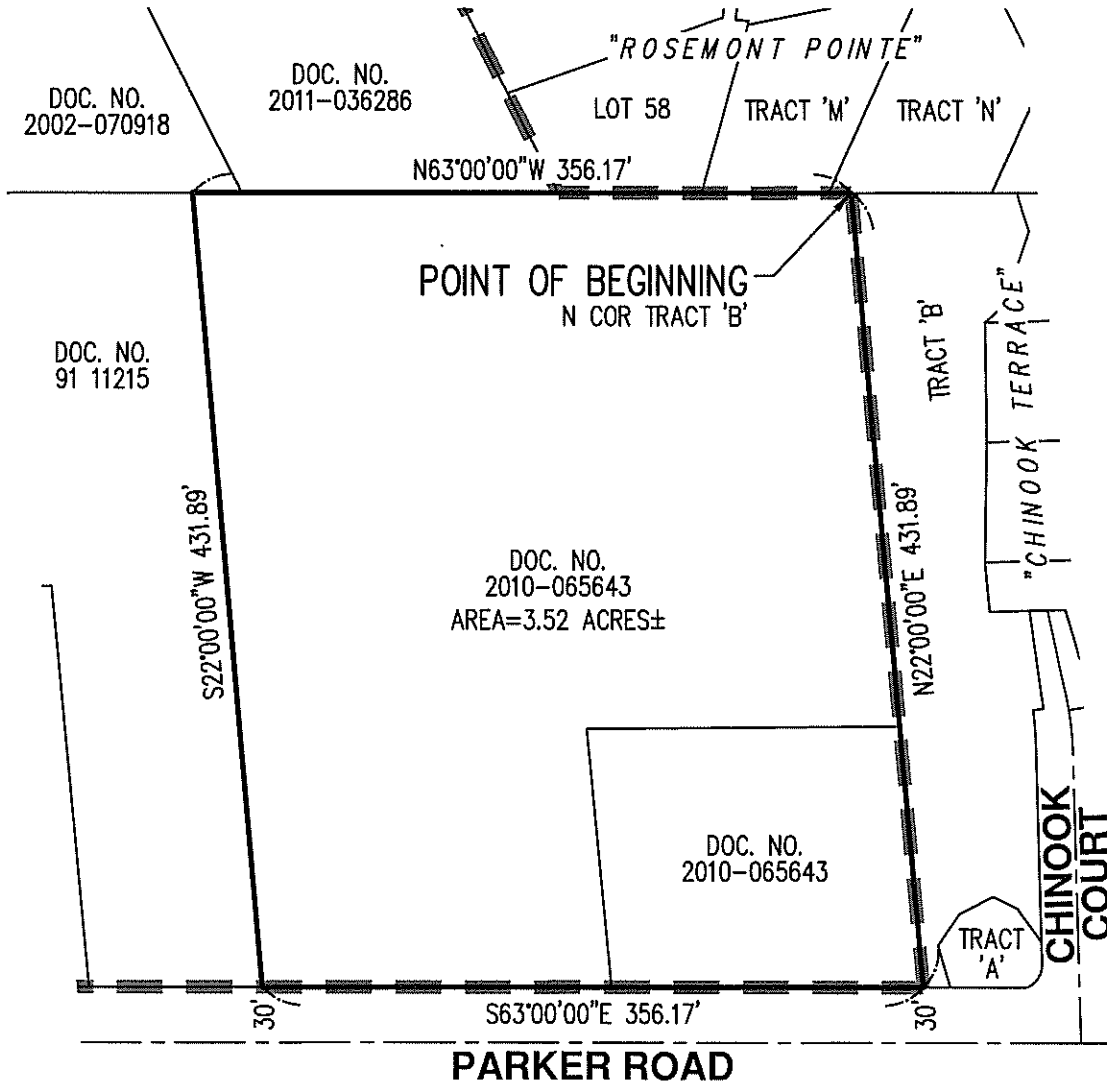


RENEWS: 6/30/16



EXHIBIT B

A TRACT OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 25,
TOWNSHIP 2 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN,
CLACKAMAS COUNTY, OREGON



PREPARED FOR
CAROL & NOELL PRICE
3015 PARKER ROAD
WEST LINN, OR 97068

5/19/2016

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Nick White
OREGON
JANUARY 9, 2007
NICK WHITE
70652LS
RENEWS: 6/30/16

LEGEND

WEST LINN CITY LIMITS

3015 PARKER ROAD - WEST LINN		EXHIBIT B
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 P: 503.563.6151 F: 503.563.6152 aks-eng.com		DRWN: WCB CHKD: NSW AKS JOB: 5132



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 251E 25CC 00100, 00200) 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 Mary Neigel
TITLE Cartographer II
DEPARTMENT Assessment & Tax
CLACKAMAS COUNTY ASSESSOR'S OFFICE
DATE 06.09.16



3-31

300
1.40 Ac.

200
2.98 Ac.
3015

400
0.47 Ac.
3945

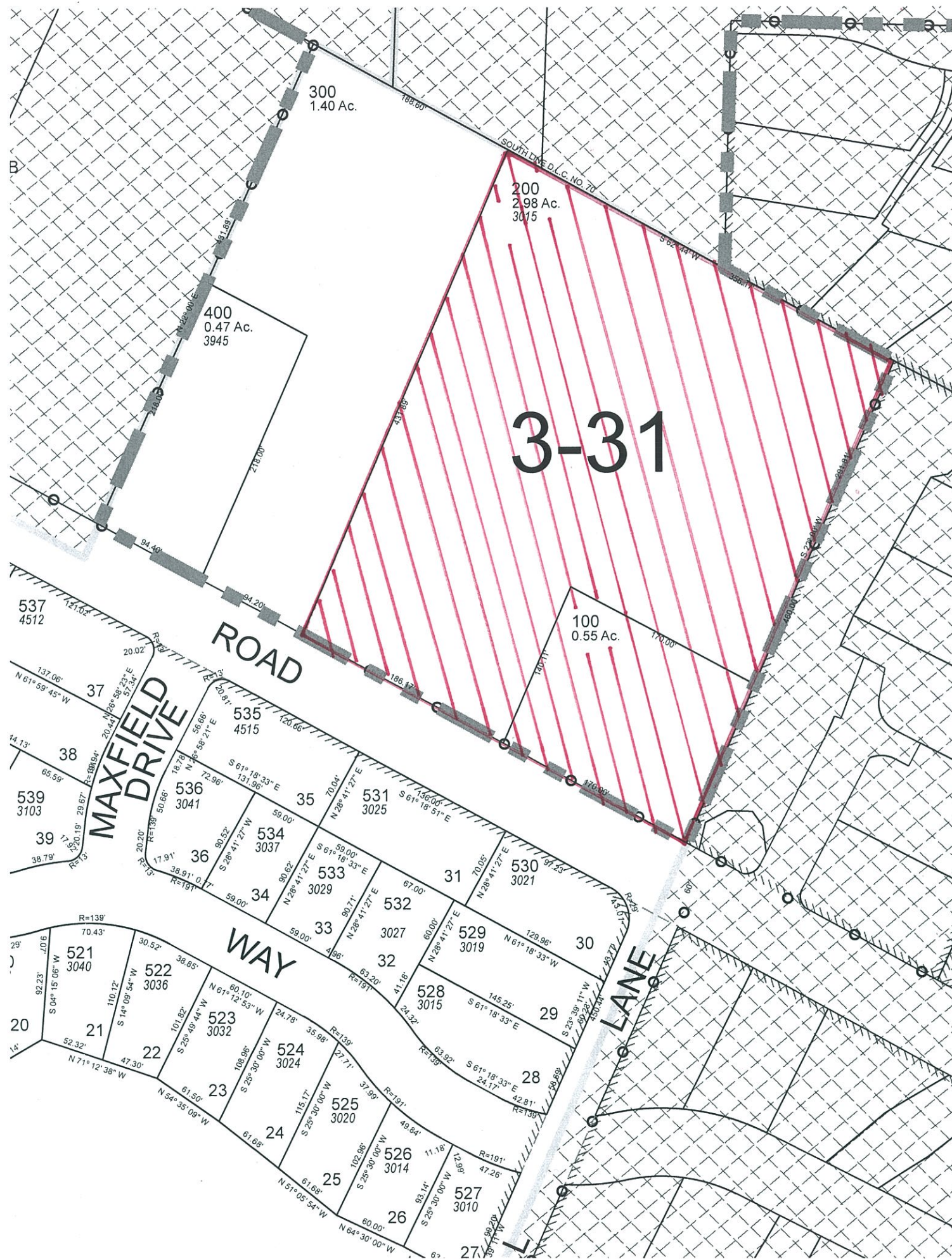
100
0.55 Ac.

ROAD

MAXFIELD DRIVE

WAY

LANE



537
4512

37

38

539
3103

39

535
4515

536
3041

36

34

35

534
3037

33

533
3029

32

532
3027

31

531
3025

30

530
3021

521
3040

20

522
3036

21

523
3032

22

524
3024

23

525
3020

24

528
3015

25

529
3019

26

526
3014

27

527
3010

Exhibit D: Existing Conditions and Zoning Map

3015 PARKER ROAD

CLACKAMAS COUNTY TAX MAP 2 1E 25CC

WEST LINN
 TAX LOTS 100 & 200

**PRELIMINARY
 EXISTING CONDITIONS
 MAP**

DESIGNED BY: JMM
 DRAWN BY: WCB/AZV
 CHECKED BY: MBH
 SCALE: AS NOTED
 DATE: 6/29/2016

PRELIMINARY

REVISIONS

JOB NUMBER
5132
 SHEET
01



- LEGEND**
- SUBJECT PROPERTY BOUNDARY
 - - - CITY OF WEST LINN CITY LIMITS LINE

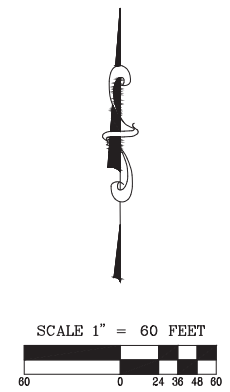
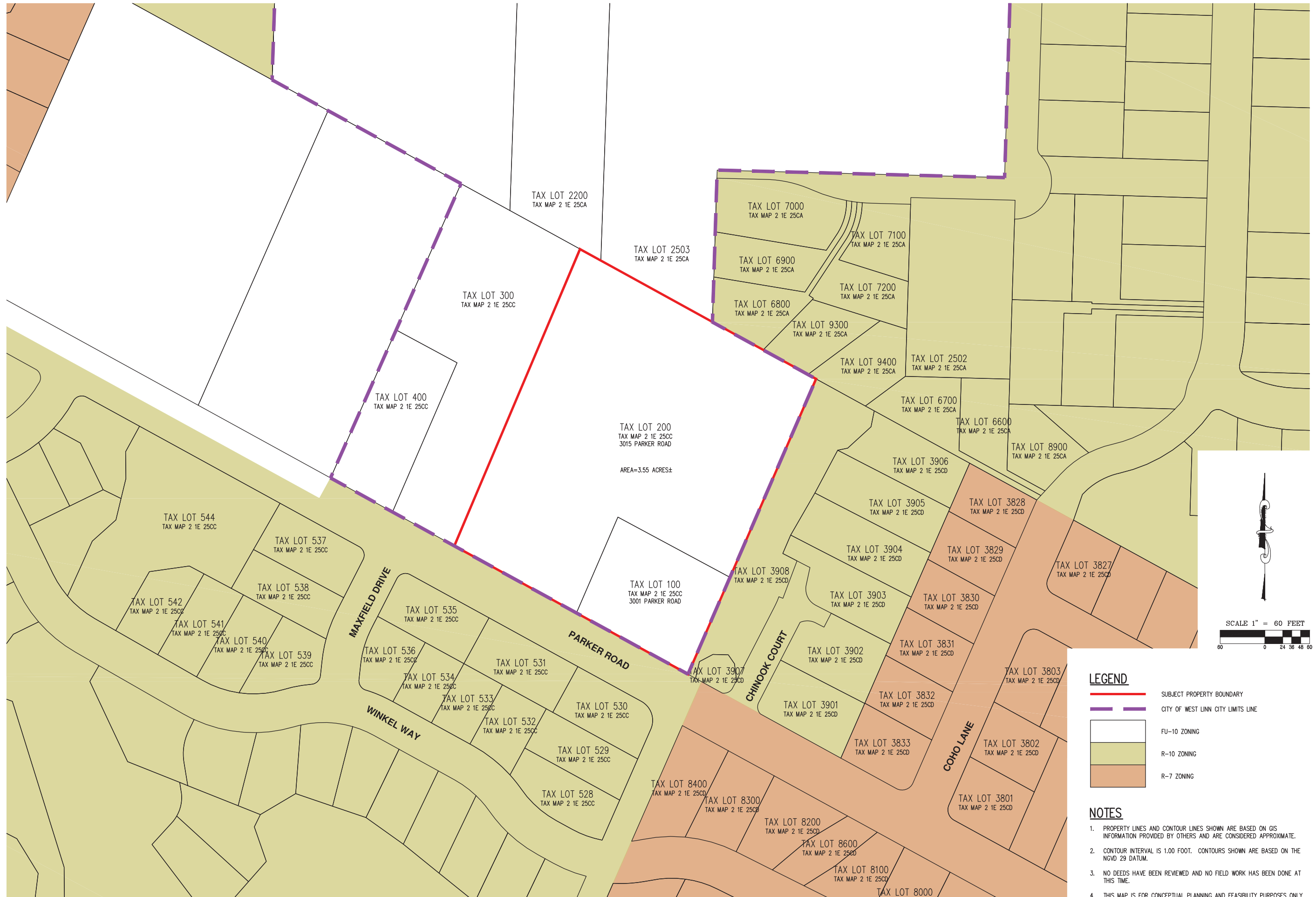
- NOTES**
1. PROPERTY LINES AND CONTOUR LINES SHOWN ARE BASED ON GIS INFORMATION PROVIDED BY OTHERS AND ARE CONSIDERED APPROXIMATE.
 2. CONTOUR INTERVAL IS 1.00 FOOT. CONTOURS SHOWN ARE BASED ON THE NGVD 29 DATUM.
 3. NO DEEDS HAVE BEEN REVIEWED AND NO FIELD WORK HAS BEEN DONE AT THIS TIME.
 4. THIS MAP IS FOR CONCEPTUAL PLANNING AND FEASIBILITY PURPOSES ONLY.

3015 PARKER ROAD

CLACKAMAS COUNTY TAX MAP 2 1E 25CC

WEST LINN
 TAX LOTS 100 & 200

ZONING MAP



LEGEND

- SUBJECT PROPERTY BOUNDARY
- - - CITY OF WEST LINN CITY LIMITS LINE
- FU-10 ZONING
- R-10 ZONING
- R-7 ZONING

NOTES

1. PROPERTY LINES AND CONTOUR LINES SHOWN ARE BASED ON GIS INFORMATION PROVIDED BY OTHERS AND ARE CONSIDERED APPROXIMATE.
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TAX LOT 200
 TAX MAP 2 1E 25CC
 3015 PARKER ROAD
 AREA=3.55 ACRES±

DESIGNED BY:	JMM
DRAWN BY:	WCB/AZV
CHECKED BY:	MBH
SCALE:	AS NOTED
DATE:	5/13/2016

PRELIMINARY

REVISIONS	
JOB NUMBER	5132
SHEET	02

Exhibit E: Property Owner Address List

Properties within 100-feet of Subject Site

Property Owner					
First Name	Last Name	Property Address	City	State	ZIP
Noell	Price	3015 Parker Rd	West Linn	OR	97068
William & Carol	Koran	3945 Parker Rd	West Linn	OR	97068
William & Carol	Koran	3945 Parker Rd	West Linn	OR	97068
Noell	Price	3015 Parker Rd	West Linn	OR	97068
John	Evans	4000 Ridge Ln	West Linn	OR	97068
Richard	Parson	4880 Ireland Ln	West Linn	OR	97068
Kendall Leigh & Scott	McMahon	2866 Hale Dr	West Linn	OR	97068
King	Chan	4762 Coho Ln	West Linn	OR	97068
Sandip Co-E	Chattopadhyay	4748 Gardner Ln	West Linn	OR	97068
Renata	Harrod				
Laurie	Gillam	4734 Gardner Ln	West Linn	OR	97068
City of West Linn		22500 Salamo Rd #600	West Linn	OR	97068
Rosemont Pointe Homeowners Assn		4736 Gardner Ln	West Linn	OR	97068
Gary & Gail	Waltuch	3021 Winkel Way	West Linn	OR	97068
Matthew & Lauren	Hunter	3025 Winkel Way	West Linn	OR	97068
Brian & Heather	Goodrich	4725 Chinook Ct	West Linn	OR	97068
Jess & Sarah	Bromley	4737 Chinook Ct	West Linn	OR	97068
Philip & Christina	Wilk	4743 Chinook Ct	West Linn	OR	97068
Timothy Lane	Watson	4751 Chinook Ct	West Linn	OR	97068
City of West Linn		22500 Salamo Rd #600	West Linn	OR	97068
City of West Linn		22500 Salamo Rd #600	West Linn	OR	97068

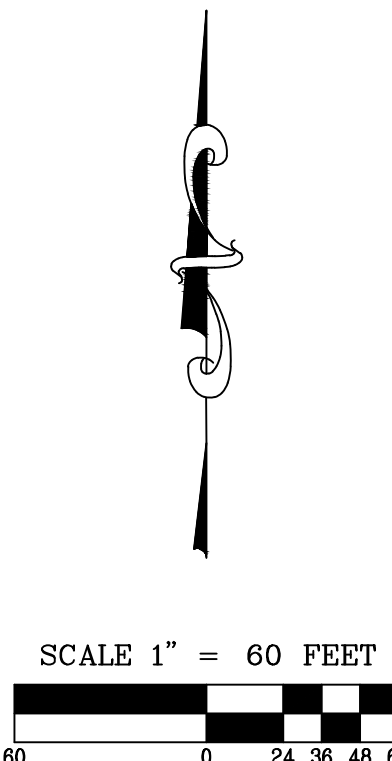
**PRELIMINARY
 EXISTING CONDITIONS
 MAP**

DESIGNED BY: JMM
 DRAWN BY: WCB/AZV
 CHECKED BY: MBH
 SCALE: AS NOTED
 DATE: 6/29/2016

PRELIMINARY

REVISIONS

JOB NUMBER
5132
 SHEET
01



- LEGEND**
- SUBJECT PROPERTY BOUNDARY
 - CITY OF WEST LINN CITY LIMITS LINE

- NOTES**
1. PROPERTY LINES AND CONTOUR LINES SHOWN ARE BASED ON GIS INFORMATION PROVIDED BY OTHERS AND ARE CONSIDERED APPROXIMATE.
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