

## **Molalla City Council**

Meeting located at: Molalla Adult Center 315 Kennel, Molalla, OR 97038

## July 9, 2014 Regular Meeting Agenda

## No Work Session

**Business** meeting will begin at 7:00PM. The Council has adopted Public Participation Rules. Public comment cards are available at the entry desk. Request to speak must be turned into to the Mayor prior to the start of the regular Council meeting.

## 1. CALL TO ORDER - 1,039th Regular Meeting

- A. Call the meeting to order
- B. Flag Salute
- C. Roll Call

## 2. COMMUNICATIONS AND PUBLIC COMMENT

- A. Minutes: June 25, 2014 Motion to Approve
- B. Minutes: Planning Commission Work Session Informational Only
- C. Minutes: Transportation Advisory Committee
- 3. AWARDS & RECOGNITIONS
- 4. PROCLAMATIONS

## 5. PUBLIC HEARINGS

- A. Proposed Island Annexation Hearing
- 6. CONTINUING BUSINESS
- 7. <u>RESOLUTIONS</u>

### 8. ORDINANCES

- A. Ordinance 2014 06 To Ordinance 2014-25: Annexing Island Territory Into The City Of Molalla, Withdrawing The Territory From Special Districts, Amending The Comprehensive Plan And Rezoning Property.
- B. Ordinance 2014 26: Repealing Ordinance 2007-06B An Ordinance Relating To Sewer Utility In The City Of Molalla Establishing Utility License Fee; Declaring An Emergency
- C. **Ordinance 2014 27**: An Ordinance Repealing Ordinance 2007-07 An Ordinance Relating To Water Utility In The City Of Molalla Establishing Utility License Fee; Declaring An Emergency
- D. Ordinance 2014 28: An Ordinance Repealing Ordinance 2007-07 An Ordinance Relating To Water Utility In The City Of Molalla Establishing Utility License Fee; Declaring An Emergency



9. <u>NEW BUSINESS</u>
 A. City Manager Salary Increase – Motion to approve

## 10. REPORTS AND ANNOUNCEMENTS

- A. City Manager/Staff Reports Dan Huff
- 11. EXECUTIVE SESSION

## 12. ADJOURNMENT

## Minutes of the Molalla City Council Regular Meeting Molalla Adult Center 315 Kennel Ave., Molalla, OR 97038 Wednesday June 25, 2014

**ATTENDANCE:** Mayor Rogge, Present; Councilor Pottle, Present; Councilor Clark, Present; Councilor Thompson, Present; Councilor Griswold, Present; Councilor Boreth, Present; Councilor Cook, Present.

**STAFF IN ATTENDANCE:** City Manager Dan Huff, Present; HR Coordinator Peggy Johnson, Present; Finance Director Heather Penni, Present.

## **COMMUNICATIONS AND PUBLIC COMMENT:**

## **A.** Minutes – June 11, 2014

Councilor Pottle made a motion to accept the minutes from June 11, 2014. Councilor Clark seconded. Motion approved (7-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor Boreth, Aye; Councilor Cook, Aye.

## **B.** Minutes – Planning Commission

Information only

CM Huff introduced Diana Hadley. Diana is the City's new Library Director.

Lucy Allison-Pursley, 701 N. Molalla Ave. Thanked Council for extending the hours of the Aquatic Center. She stated that there was a Friends of the Pool meeting held and one of the coordinators from Tigard/Tualatin pool District attended and gave some good information on the process of creating a pool district.

Mayor Rogge stated that having brochures with costs and information would be helpful for future patrons.

Councilor Boreth stated that having the people from the Tigard/Tualatin pool is a great resource. He asked if the Friends of the Pool has created a non-profit. He was advised that they are working on it.

Councilor Pottle thanked Ms. Allison-Pursley for being a spokesperson for the Friends of the Pool.

Councilor Cook stated that he attended the Friends of the Pool meeting. He mentioned that it was a promising meeting and also sobering because of what the group has to do to create a pool district.

Councilor Thompson stated that a membership drive may not be in the best interest. He stated that if they succeed with a pool district, the funding structure will change.

## **NEW BUSINESS**

## A. OLCC Application – Longbranch Bar & Grill

Sarah Quier, 30428 S. Wall St., Colton. And Matthew Kieling, 8895 S. Heinz Rd., Canby. Matt stated that he and Sarah are leasing the building from Mt. Govro. Councilor Pottle asked if there would any affiliation with the owner of the building. She was advised that there will be no affiliation with Mr. Govro.

Councilor Boreth asked how they came to lease the business, he also asked if there would be entertainment. He was advised that they tried to lease the White Horse but that didn't work out. He was also advised there they will have entertainment. Councilor Clark made a motion to approve the OLCC Application. Councilor Pottle Seconded. Motion approved (7-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor Boreth, Aye; Councilor Cook, Aye.

## B. ODOT Work Letter Agreement: Hwy 213; Mulino Road to Blackman's Corner

CM Huff stated that ODOT is repaying Hwy 213. As part of the project from Toliver to Hwy 211 the City has utilities and the responsibility to relocate or adjust the lines falls on the City. This contract covers the work to meet the requirements.

Councilor Boreth asked about a clause stating that the City is responsible for paying the entire share of the charges for the project. He asked what happens if the

project goes over the estimate. CM Huff stated that the clause is very common. He also stated that he didn't feel the cost would exceed the estimate.

Councilor Clark made a motion to authorize CM Huff to sign the ODOT work letter agreement. Councilor Griswold Seconded. Motion approved (7-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor Boreth, Aye; Councilor Cook, Aye.

## **RESOLUTIONS**

## A. Resolution 2014-07 – Amending Resolution 2013-10, Making Appropriations For The Fiscal Year 2013/2014

Councilor Thompson made a motion to approve Resolution 2014-07. Councilor Boreth Seconded. Motion approved (7-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor Boreth, Aye; Councilor Cook, Aye.

## REPORTS & ANNOUNCEMENT

Finance Direct Penni advised that the current budget and audit is on the City's website. She also stated that tomorrow there will be a meet and greet at the Library to greet Diana and say our farewells to Glenda.

HR Coordinator Peggy Johnson welcomed Library Director Hadley, she also wished Glenda the best in her retirement.

Councilor Boreth also wished Glenda the best in her retirement and welcome to Diana. He also wished everyone a safe and happy Independence Day.

Councilor Griswold stated that the VFW would be having a pancake feed at the City Park the night of the 3<sup>rd</sup> through noon the 4<sup>th</sup>.

Councilor Boreth made a motion to close regular session and open Executive Session. Councilor Pottle seconded. Motion approved (7-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor Boreth, Aye; Councilor Cook, Aye.

## **ADJOURNMENT**

Councilor Thompson made a motion to adjourn. Councilor Boreth seconded.
Motion approved (7-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor
Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor
Boreth, Aye; Councilor Cook, Aye.

Sadie Cramer, City Recorder	Mayor Debbie Rogge

## Minutes of the Molalla Planning Commission Special Work Study Session Molalla City Hall Conference Room 117 N. Molalla Avenue, Molalla OR 97038 Monday, June 23, 2014

**ATTENDANCE**: Chair Burroughs, Vice-Chair Ferris, Commissioner Jacob, Commissioner Welty, Commissioner Harrison and non-voting member Torsen present. Commissioner Beattie, Commissioner Ruppel, and non-voting member Sharp absent.

ALSO IN ATTENDANCE: Council Liaison Griswold and Mayor Rogge

STAFF: City Manager Huff and Clackamas County Planner Martha Fritzie

**DISCUSSION ITEM** – Draft Comprehensive Plan:

Chair Burroughs opened the meeting at 7:00pm and dispensed with formal meeting procedures due to the meeting being a Work Study Session and no public was present.

A brief over view of the draft Comprehensive Plan update was provided by City Manager Huff. County Planner Fritzie provided a more in depth discussion of the update process and components of the Comprehensive Plan update.

Commissioners were encouraged to provide all comments to Staff for revisions to either Huff or Fritzie.

Staff will provide Commissioners with hard copies of the Park Plan and the Downtown Plan.

## ADJOURNMENT: Meeting adjourned at 7:55 pm. Jake Burroughs, Chair Dan Huff, City Manager

## Minutes of the Molalla Transportation Advisory Committee Molalla City Hall Conference Room 117 N. Molalla Avenue, Molalla OR 97038 Tuesday, June 24, 2014

**ATTENDANCE**: Chair Fred Countryman, Member Ferris, Member Countryman, Member Avison.

**ALSO IN ATTENDANCE**: Council Liaison Thompson and Griswold.

**STAFF**: City Manager Huff

## **DISCUSSION ITEMS:**

The Committee discussed the following:

## **Priorities Including:**

- a. Highway 211
- b. 5-year Capital Improvement Plan
- c. Street Utility/Gas Tax
- d. Highway 211 "Y" Safety Issues
- e. Speed and Safety issues on north Highway 211 near Vaughn Road

The Committee, by consensus, agreed that Staff would prepare a letter to ODOT from the Committee identifying safety issues near the Y on 211 and speed issues near Vaughn Road.

Staff also informed the Committee of new Public Works Director, Jennifer Sherman who begins her employment on July 1, 2014.

## ADJOURNMENT:

Meeting adjourned at 7:33 pm.	
Fred Countryman, Chair	Dan Huff, City Manager



## Administration – Finance

117 N Molalla Avenue, PO Box 248, Molalla, Oregon 97038 Fax: (503) 829-3676

Phone: (503) 829-6855

June 19, 2014

To: Molalla City Council

From: Dan Huff, City Manager

Recommendation for consideration of properties affected by the annexation process. RE:

96 properties under Clackamas County stewardship but encapsulated by City of Molalla incorporated area ("islands") have been identified as in need of annexation into the City.

- 40 Residential properties currently hooked up to full city utility services.
- 17 Residential properties currently have partial (either water OR sewer) hooked up.
- 16 Residential properties currently have no city services.
- 2 Commercial properties currently hooked up to full city utility services.
- 1 Commercial property currently has partial (either water OR sewer) hooked up.
- 2 Commercial properties currently have no city services.
- 17 are undeveloped
- 1 Cemetery
- Graduated taxes Based on legal information from the Clackamas County Assessor as well as Molalla legal counsel, variable graduated tax rates are not allowable. All properties will fall into the statutory rate increase, if any, based on zoning and usage.
- Water and Sanitary Sewer hook-ups The City will require that properties without one or both water and sanitary sewer service have the hook-up to those services completed within five (5) years of the service becoming available.
- Available Service definition Available service will be defined as water and sewer service to the property owner's property line.
- Fees The following fee scale shall be used for new water or sewer SDC hook-ups within the annexed area:
  - 1. 1 to 3 years from the final date of decision No SDC fee
  - 2. 3 to 6 years from the final date of decision -50% of the SDC fee rate adopted by City Council at time of connection.
  - 3. 6 to 10 years from the final date of decision 100% SDC fee rate adopted by City Council at time of connection.
- Utility Connection fees (currently \$600 per utility) will not be waived. This fee is subject to change and the property owner will be assessed the adopted fee at time of connection.

# FINDINGS OF FACT AND DECISION DOCUMENT CITY OF MOLALLA PLANNING COMMISSION

# LEGISLATIVE ISLAND ANNEXATION AND ZONE CHANGE

In the Matter of a City initiated	) File No. P-6-14	5-14
Legislative island annexation and	) Island Anne	Island Annexation and
Zone change of 96 proerties	) Zone Change	3e
Located within the Molalla Urban		
Grounth Boundary		

## A. SUMMARY

This Staff Report is in regards to a proposed legislative city initiated island annexation and zone that meet statutory definitions of islands that can be annexed by the City of Molalla (Exhibit A). The Commission will notice by examining the water and sewer connection map and property spreadsheet (Exhibits C & D) that 42 of the identified properties are fully served by the City of Molalla with water and sewer service and 18 have partial city services. recommendations to the Molalla City Council prior to a final Council ordinance adoption. This particular action involves 96 properties located within the Molalla Urban Growth Area (UGA) change that requires the Planning Commission to make certain land use decisions and

# 3. GENERAL INFORMATION

public notice (Exhibit E) and provided a map (Exhibit A) to identify their individual ownership. Public notice was provided in the Molalla Pioneer and posted on the City website. Notice to the Based on the attached map(s) (Exhibits A, B and C) and spreadsheet (Exhibit D) the Planning Commissions deliberation of this matter affects 96 individual properties throughout the west portion of the City of Molalla Urban Growth Area. All properties were mailed an individual Department of Land Conservation and Development (DLCD) was also provided within the required notification timeframe.

(Exhibit F). Each of these properties will also recieve the appropriate city zoning designation that The subject properties comply with various definitions of "islands" as described in ORS 222.750 complies with the underlying Comprehensive Plan designation as shown on the spreadsheet. No Comprehensive Land Use designations will be affected by this action.

annexation appears to satisfy applicable approval criteria. Based on the following Findings, Staff recommends that the Planing Commission recommend approval of the island annexation and Following legal review and adherance to statutory notification requirements the proposed accompanying zone changes to the City Council.

## C. PROCEDURES

This specific action is specific to the identified 96 properties and will not affect other properties not shown or shall approve development of the properties identified. This is a legislative action but because the City is applying compliant city zones to these properties a quasi judicial hearing process is required. During this hearing the Commission will receive the subject staff report, take written and verbal testimony, consider facts and criteria and render a decision based on the information available.

## D. PARTY STATUS

The following affected property owners within the island boundaries requested and were granted party status during the Planning Commission proceeding:

13053 S. Highway 211 (Represented by John Henrickson) P.O. Box 2579, Lebanon, OR 97355 13325 S. Highway 211 Hezzie Lane 14550 S. Claim Road 31615 S. Carol Maloy Et Al Dale Newcomb Patricia Torsen Cedric Hansen Harry Russell

Curtis Cruikshank 13303 S. Highway 211
Pam Fleskes 725 W. Main Street
Randy Burley 12763 S. Crompton Lane

12754 S. Highway 211 133 NW Trinity Place #4, Portland, OR 97209 Nancy Butler John Hekala

The following people addressed the Commission but did not request nor were they granted Party Status:

Susan Hansen 33381 S. Sawtell Road Jim Taylor 29480 S. Holt Road, Colton OR Gayla Hansen 38973 S. Sawtell Road

# E. PROCEDURAL FINDINGS

- The City of Molalla is initiating a legislative island annexation of 96 individual properties Molalla zoning district as detailed on the attached zoning map (Exhibit B) and property changes for all 96 properties from Clackamas County zoning to a compliant City of located within the Molalla Urban Growth Area. The process will also include zone attribute spreadsheet (Exhibit D).
- Notice of Proposed Land Use Regulation Amendment (DLCD Form 1) was electronically mailed to the Department of Land of Conservation and Development (DLCD) on April 25, 2014. 3

- was mailed to all record owners of the property proposed to be annexed and rezoned. The Notice was published in the Molalla Pioneer on May 14, 2014 and posted on the City On April 29, 2014 Notice of Public Hearing before the Molalla Planning Commission of Molalla Website. ä
- The City of Molalla has not received written testimony or correspondence from property owners concerning the proposed annexation and zone change as of the print of this staff report. 4.
- 2014. The Planning Commission received the staff report, and heard public testimony. This matter came before the Molalla Planning Commission for consideration on June 5

The procedural findings noted above are adequate to support the Planning Commission's recommendation on the requested annexation and zone changes. Conclusion:

# DECISION CRITERIA AND SUBSTANTIVE FINDINGS OF FACT

unincorporated territory surrounded by Cities. In addition, state statute requires that proposed amendments to Molalla's Zoning Map be consistent with the Statewide Planning Goals. Finally, Section 19.7.300 of the Development Code provides specific local criteria for approving a zone Chapter 222.750 of the Oregon Revised Statutes (ORS) provides procedures for annexation of

The requested annexation and zone changes are measured here against these state and local criteria. The results of this analysis are presented as proposed Findings of Fact below.

# COMPLIANCE WITH ANNEXATION PROCEDURES OF ORS CHAPTER 222.750

Chapter 222.750 of the Oregon Revised Statutes provides the procedures for annexing unincorporated territory to the City of Molalla (Exhibit F).

The subject annexation and zone change complies with ORS 222.750 and has been reviewed by legal counsel for legal and case law purposes. Finding:

by the legislative body of the city, on its own motion, or by a petition to the legislative body of the ORS 222.111(2) provides that "A proposal for annexation of territory to a city may be initiated city by owners of real property in the territory to be annexed."

The City Council of the City of Molalla by its own motion has initiated this action as a legislative body and the action complies with statutory requirements. Finding:

by ORS Chapter 222.750 for annexation of unincorporated territory surrounded The annexation and zone change proposal conforms to the procedures provided by the City of Molalla. Conclusion:

June 4, 2014

# CONSISTENCY WITH THE STATEWIDE PLANNING GOALS

To provide for widespread citizen involvement in the planning process, and to allow citizens the opportunity to review and comment on proposed changes to comprehensive land use plans prior to any formal public hearing to consider the proposed changes. Citizen Involvement. Goal 1:

Statewide Planning Goal 1 requires cities and counties to create and use a citizen involvement process designed to include affected area residents in planning activities notice was published in the Molalla Pioneer on May 14, 2014. Written information and/or Staff Report was available seven days prior to the June 4, 2014 public hearing Public Hearing and map to all owners affected by this action (Exhibit E). The same and decision-making. On April 29, 2014, City staff mailed copies of a Notice of at Molalla City Hall. Findings:

Statewide goal of citizen involvement has been met through the mechanisms described above. Conclusion:

Land Use Planning. To establish a land use planning process and policy framework as a basis for all decisions and actions related to land use and to ensure a factual base for such decisions and actions. Goal 2:

Molalla's acknowledged Comprehensive Plan and implementing ordinances provide a State-approved process for land use decision making, and a policy framework derived from a proper factual base. The City's Comprehensive Plan, implementing ordinances and State Law provide criteria by which the proposed island annexation will be processed. All of the subject properties are within the Molalla Urban Growth Finding:

Statewide goal of land use planning has been met through the use of Molalla's acknowledged Comprehensive Plan, implementing ordinances and State Law Conclusion:

# Statewide Planning Goals 3 and 4 have been combined for the purposes of this Staff Report as follows:

Agricultural Lands. To preserve and maintain agricultural lands.

practices that assure the continuous growing and harvesting of forest tree species as Forest Lands. To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest the leading use on forest land .... Goal 4:

June 4, 2014

Neither Goal 3 or 4 apply to this action because all properties are within the Molalla UGA and none of the properties have agricultural or forest Comprehensive Plan designations. Finding:

The proposed zone changes will not adversely impact agricultural lands as defined by Statewide Planning Goal 3, or forest lands as defined by Goal 4 nor do either of these Goals apply. Conclusion:

To protect natural resources and conserve scenic and historic areas and open spaces. Open Spaces, Scenic and Historic Areas, and Natural Resources. Goal 5:

Significant sites must be protect natural resources and conserve scenic, historic, and open space resources for present and future generations. Goal 5 requires local governments to inventory Statewide Planning Goal 5 requires local governments to adopt programs that will addition, Goal 5 encourages local governments to maintain current inventories of natural resources such as wetlands, riparian corridors, and wildlife habitat. In identified and protected according to Goal 5 rules contained in the Oregon open spaces, scenic views and sites, and historic resources. Administrative Rules, Chapter 660, Division 23. Finding:

evaluated. The subject properties except one are all designated for urban development Clackamas County. The annexation and zone change will not affect ownership or exception is the Pioneer Cemetery currently owned and under the jurisdiction of Goal 5 resources within the Molalla UGA have previously been inventoried and and many of these properties are currently developed at an urban level. The one jurisdictional responsibility of the Pioneer Cemetery. The island annexation and zone changes will not conflict with or adversely impact Goal 5 and are consistent with Goal 5. Conclusion:

Air, Water, and Land Resource Quality. To maintain and improve the quality of air, water and land resources of the State. Goal 6:

significantly more adverse to the environment and the City's treatment capacity than The annexation and rezoning does not Statewide Planning Goal 6 requires that waste and process discharges from future development, combined with that of existing development, do not violate State or approve development activity and is unlikely to generate waste streams that are would be the case if the property remained unincorporated. Federal environmental quality regulations. Finding:

annexed. Therefore, the proposed annexation and rezoning is not expected to have any The City has regulations in place to control the generation and disposal of wastes, and deleterious effects on the quality of the air, water, or land resources of the State. the properties are or either can be served by City water and sewer service once

sufficient to ensure that subsequent land use activities regarding current and future development will be conducted in a manner that is consistent with, and will achieve Existing state, federal, and local land use and environmental standards will be the purpose of Goal 6.

The requested annexation and zone changes are consistent with Statewide Planning Goal 6. Conclusion:

Areas Subject to Natural Disasters and Hazards. To protect life and property from natural disasters and hazards. Goal 7:

properties will be required to comply with development standards, building codes and Any new development on any of the public safety requirements. These existing regulations serve to ensure the protection Molalla and are not within a special overlay zone or in an area that is designated as The subject properties contain relatively flat topography similar to the balance of susceptible to flooding or other natural hazards. of life and property. Finding:

Based on the above findings, the requested map amendments will be consistent with Goal 7. Conclusion:

Recreational Needs. To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the citing of necessary recreational facilities including destination resorts. Goal 8:

County as land needed to meet the recreational needs of the citizens of, or visitors to, the state of Oregon. The property is currently zoned by the City and Clackamas County for urban development with no special geographic or natural advantages for The subject property has not been designated by the City of Molalla or Clackamas Finding:

The requested annexation and zone change will not adversely affect recreational opportunities within the City limits or urban growth boundary. The proposal is consistent with Goal 8. Conclusion:

Economy of the State. To provide adequate opportunities throughout the State for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's Goal 9:

development standards and regulatory compliance of these properties within the city development. Annexation and compliant zoning does not approve development but The subject properties are located inside the City's UGB, and planned for urban will have the effect of allowing future urban development pursuant to current limits of Molalla. Finding:

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The Statewide goal of providing adequate economic opportunities will be met by approving the request. Conclusion:

To provide for the housing needs of citizens of the State. Housing. Goal 10:

partially developed, nonconforming developed and vacant residential, commercial and industrial land. For example, Trinity Estates is a fully served and developed city standard subdivision. Each of these properties are within the UGB and the residential land is included within the current Buildable Lands Inventory as developable and The proposed annexation and zone change includes a variety of fully developed, urbanizable land Finding:

The proposed annexation and zone changes are therefore consistent with Goal 10. Conclusion:

**Public Facilities and Services.** To plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban and rural development. Goal 11:

water and sewer service from the City of Molalla (Exhibit C & D). Specifically, the Most of the properties are currently served or partially served with urban levels of 96 properties are served with water and sewer as follows: Finding:

Fully served with water and sewer	42
Partially served with one service	18
Developed with no service	16
Vacant or undeveloped	20 (Includes Pioneer Cemetery

Currently, there are water and sewer mains located within a reasonable distance from all properties identified as part of this action. All properties are located within the infrastructure planning areas for the City of Molalla.

Based on the above findings, Staff concludes that the proposal is consistent with Statewide Planning Goal 11. Conclusion:

To provide and encourage a safe, convenient, and economic transportation system. Transportation. Goal 12:

Development and OR 211 Streetscape Plan. This action alone will not lead to a change This action is not for the purpose of approving development activity and only includes the annexation and zone change to compliant zones for each of these properties. All properties are located within the UGB and have been included within the current Fransportation System Plan as well as the unacknowledged Downtown Molalla Finding:

in the existing level of service or otherwise have a significant impact on the transportation system. Future development that includes providing access to the properties will be addressed by the City at the time a specific development proposal is reviewed. Based on the above finding, the annexation and zone change are consistent with Statewide Planning Goal 12. Conclusion:

## Energy Conservation. To conserve energy. Goal 13:

20 with all forms of energy available within the Molalla UGB. The proposal is consistent Statewide Planning Goal 13 requires that land uses shall be managed and controlled as to maximize the conservation of all forms of energy, based upon sound economic principles. Properties included in this action are either currently or partially served with principles of efficient land use and energy efficiency. Finding:

The annexation and zone changes are consistent with Goal 13. Conclusion:

Urbanization. To provide for an orderly and efficient transition from rural to urban land use. Goal 14:

do not include any rural designated land based on Goal 14 language. Provisions of this The 96 properties are all "urbanizable land" and located within the Molalla UGB and Goal have been previously met through the acknowledgment of the City's UGA certifying compliance with Goal 14 and the ability to provide urban services Finding:

The annexation and zone changes are consistent with the purposes and intent of Statewide Planning Goal 14. Conclusion:

# COMPLIANCE WITH CITY OF MOLALLA ZONE CHANGE CRITERIA ئ

Section 19.7.300 (B) of the Molalla development Code (Zone Changes) provides the following criteria for approving a zone change:

- Approval of the request is consistent with the Statewide Planning Goals;
- Approval of the request is consistent with the Comprehensive Plan; 3.2.
- and transportation networks are planned to be provided in the planning period; and The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services
  - conditions, or corrects a mistake or inconsistency in the comprehensive plan or land use district map regarding property which is the subject of the application; and The change is in the public interest with regard to neighborhood or community 4.

Conservation and Development Commission, including the transportation planning The amendment conforms to applicable administrative rules of the Oregon Land

have specific criteria. However, quasi-judicial zone changes require the process as detailed above and provide guidance for a fully processed decision. Much of the criteria has been discussed The Commission should note that this action is a Legislative Action and does not necessarily previously and to reduce redundancy we will refer to previous statements when applicable.

## See Section II. Criteria #1 Statewide Planning Goals:

Molalla UGB since the creation of the boundary and have been included as part of all full build Molalla Comprehensive Plan including both the map and written policies by virtue of the zone Criteria #2 Comprehensive Plan Consistency: The proposed zone changes conform to the changes occurring as part of this action. Each of these properties has been located within the out plans throughout the planning period.

city services including water, sewer, streets and storm drainage. The annexation and zone change development almost certainly will. However, the extent to which additional public facilities and properties identified as part of this action are either fully served or partially served with existing Criteria # 3 Public Facilities: The discussion under Section II Statewide Planning Goal 11 highlights this criteria as part of the Statewide Planning Goal section. But to reiterate the by itself will not create any additional need for public facilities and services, subsequent services is required to serve the property will be determined at the time of development.

This action will apply uniform development standards, enforcement and Criteria #4 Public Interest: The public interest regarding this matter is in the form of development consistency and equity. Highway 211/Main Street is the gateway to Molalla and varying development standards, enforcement and taxation has created an inconsistency for taxation throughout the developed City of Molalla. current city residents.

# Criteria #5 OAR Compliance: See Section II

Finding: The proposed annexation and zone changes for the 96 properties comply with provisions identified in the Molalla Development Code.

## CONCLUSION Ħ.

The Planning Commissions finds that this proposal complies with the following decision criteria:

- This proposal complies with Oregon Statewide Planning Goals.
- Properties affected by this proposal can be adequately served by urban services.
- This proposal complies with the Comprehensive Plan. -. 2. 8. 4.
- This proposal complies with applicable Oregon Administrative Rules.

June 4, 2014

Molalla Comprehensive Plan and complies with applicable OAR's. The Planning Commission forwards a recommendation of approval to the City Council regarding this annexation and zone Based on the foregoing findings the Commission finds that the proposed action complies with the Statewide Planning Goals, can be served with urban levels of service, complies with the change action.

## DECISION

Changes identified in File No. P-6-14 to the City Council and includes the following additional recommendations as part of their decision: The Planning Commission recommends APPROVAL of the Island Annexation and Zone

- services for those properties without water or sewer service and properties with one That Council GRANT a 10-year timeframe to connect to water and waste water facility connection.
- That Council consider a 10-year city property tax ramp-up period for residential properties without city water and sewer service and those residential properties with only one service. ri

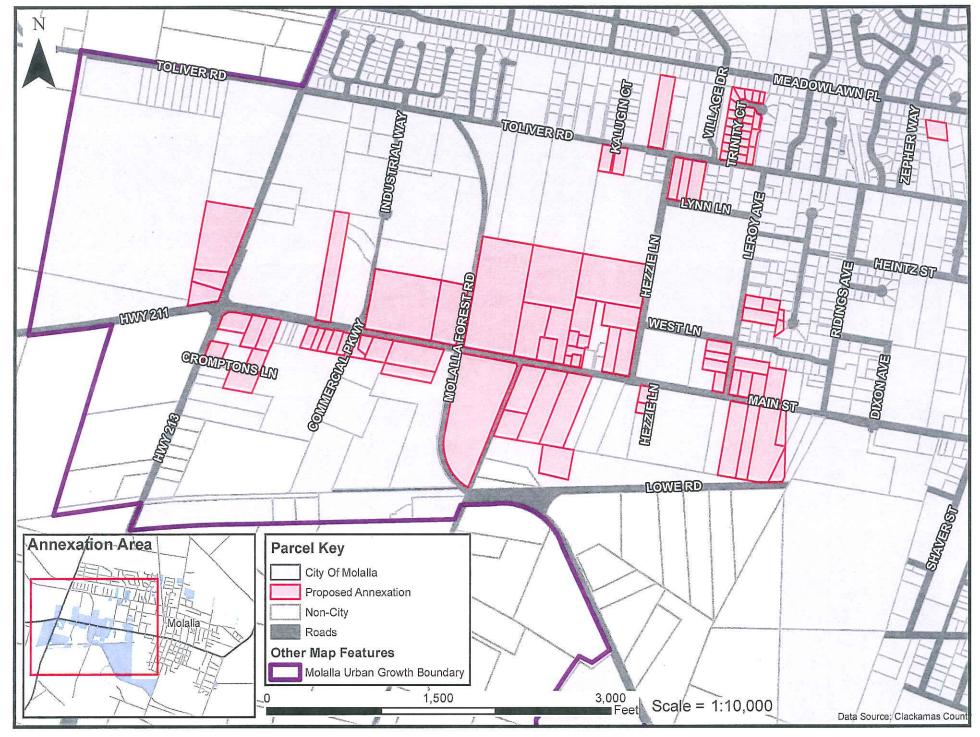
Day of June, 2014. 19 DATED this

urroughs, (

Dan Huff, City

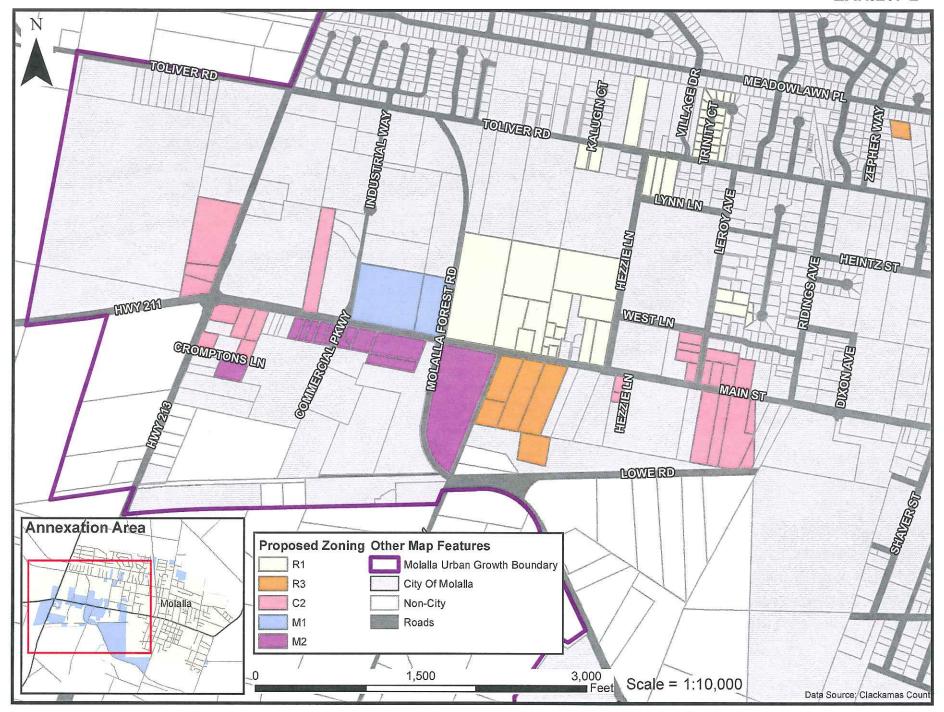
June 4, 2014

## **EXHIBIT A**



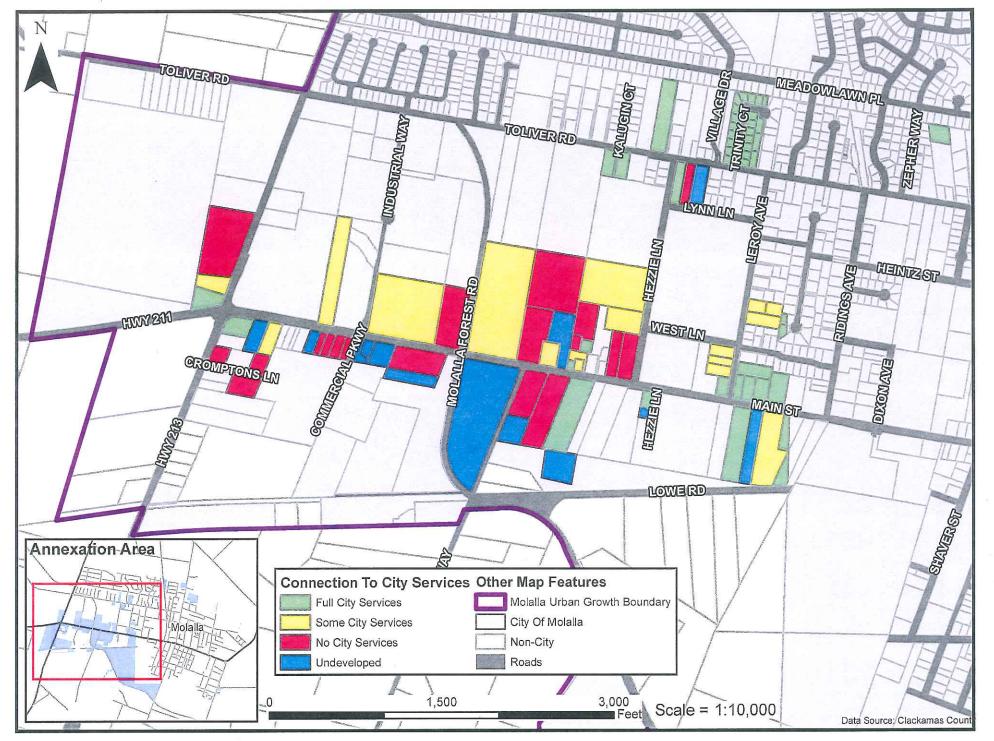
Map: Proposed Annexations to Molalla City Limits

## **EXHIBIT B**



**Map: Proposed Zoning for Proposed Annexation Parcels** 

## EXHIBIT C



Map: Existing Connections to City Services for Proposed Annexation Parcels

20200000		Responsibility and responsibility of the	ender Alle Control Control Control Control Control		1000 000000		Lottor - Mr. ama				EXHIBIT D
Island	LAST NAME	FIRST NAME	MAILING ADDRESS	CITY	ST ZIP	TAX ID#	Site Address	Acres	Zone Now		e Status
#1	Spotten Smith	Blake	30471 S. Hwy 213	Molalla	OR 97038	52E08AA03690	No Situs	0.61	RRFF5	R3	Hooked up to full City Services (Water/Sewer) - Back portion not in, must annex full lot to correct
#2 #2	Smith	Rosemary	814 S. Toliver Rd.	Molalla	OR 97038	52E08BA00900	816 S. Toliver Road	0.67	RRFF5	R1	Hooked up to full City Services (Water/Sewer)
#2	Smith	Max L & Rosemary Rosemary	814 S. Toliver Rd. 814 S. Toliver Rd.	Molalla Molalla	OR 97038 OR 97038	52E08BA01000 52E08BA01100	814 S. Toliver Road No Situs	0.67 1.01	RRFF5 RRFF5	R1 R1	Receives services through 816 S. Toliver
#3	Bauer	Fred & Ruthella	823 S. Toliver Rd.	Molalla	OR 97038	52E08BB00400	823 S. Toliver Road	1.92	RRFF5	R1	Undeveloped Hooked up to full City Services (Water/Sewer)
#4	Colbry	Kyran	12813 Arndt Rd NE	Aurora	OR 97002	52E08BB02100	906 S. Toliver Road	0.55	RRFF5	R1	Hooked up to full City Services (Water/Sewer)  Hooked up to full City Services (Water/Sewer)
#4	Norvo	Shane & Kimberly	904 S. Toliver Rd.	Molalla	OR 97038	52E08BB02200	No Situs	0.08	RRFF5	R1	Undeveloped
#4	Norvo	Shane & Kimberly	904 S. Toliver Rd.	Molalla	OR 97038	52E08BB02300	904 S. Toliver Road	0.55	RRFF5	R1	Hooked up to full City Services (Water/Sewer)
#5	Gurdial & Hardeep Inc	Publish santasas	10794 SE 144th Loop	Happy Valley	OR 97086	52E07D 02000	12704 S Hwy 211	0.9	RRFF5	C2	Hooked up to all services except water (Blackmans Corner)
#5	Hekala (Trust)	Virginia	12754 S Highway 211	Molalla	OR 97038	52E07D 01900	No Situs	0.87	RRFF5	C2	Undeveloped
#5	Hekala (Trust)	Virginia	12754 S Highway 211	Molalla	OR 97038	52E07D 01800	12754 S Hwy 211	0.82	RRFF5	C2	Hooked up to all services except sewer/storm
#5	Burley	Randy	12757 S Cromptons Ln	Molalla	OR 97038	52E07D 02401	12763 S Cromptons Ln	0.62	RRFF5	C2	Home in use on property - No City services
#5	Burley	Terry	12770 S Cromptons Ln	Molalla	OR 97038	52E07D 02404	No Situs	0.05	RRFF5	C2	Undeveloped
#5	Peterson	Gregory	31568 S Highway 213	Molalla	OR 97038	52E07D 02500	31568 S Hwy 213	0.63	RRFF5	C2	Home in use on property - No City services
#5	Burley	Terry	29335 S Cramer Road	Molalla	OR 97038	52E07D 02400	12770 S Cromptons Ln	1.03	RRFF5	M2	Home in use on property - No City services
#6	Newcomb	Dale C	PO Box 2579	Lebanon	OR 97355	52E07A 02100	12843 S Hwy 211	2.91	RRFF5	C2	Hooked up to all services except sewer/storm
#7A	Bentley Family Trust		12933 S Highway 211	Molalla	OR 97038	52E07A 01804	12933 S Hwy 211	7.13	RRFF5	M1	Hooked up to all services except sewer/storm
#7A	Russell	Harry & Lemo	13053 S Highway 211	Molalla	OR 97038	52E07A 01700	13053 S Hwy 211	2.82	RRFF5	M1	Home in use on property - No City services
#7A	Gregory (Trustee)	Virgil	9611 Olde Georgetown Way	Centerville	OH 45458	52E07A 01600	13143 S Hwy 211	9.84	RRFF5	R1	Hooked up to all services except sewer/storm
#7A	Welle	Joshua	13183 S Highway 211	Molalla	OR 97038	52E08B 03202	13183 S Hwy 211	2.45	RRFF5	R1	Home in use on property - No City services
#7A	Welle	Joshua	13183 S Highway 211	Molalla	OR 97038	52E08B 03201	No Situs	1.67	RRFF5	R1	Undeveloped property - used for heavy equipmeth storage for neighboring welding shop
#7A	Welle	Joshua	13183 S Highway 211	Molalla	OR 97038	52E08B 03203	13183 S Hwy 211	0.71	RRFF5	R1	Welding Shop
#7A	Willmschen	Glen	13263 S Highway 211	Molalla	OR 97038	52E08B 03300	13263 S Hwy 211	1.32	RRFF5	R1	Home in use on property - No City services
#7A	Keslar	Brian	823 S. Toliver Rd.	Molalla	OR 97038	52E08B 03400	13261 S Hwy 211	0.26	RRFF5	R1	Home in use on property - No City services
#7A	Turcol	Tom & Jean	2455 NE Spruce	Gresham	OR 97080	52E08B 03500	13257 S Hwy 211	0.25	RRFF5	R1	Hooked up to full City Services (Water/Sewer)
#7A	Matveev	Trofim	13241 S Highway 211	Molalla	OR 97038	52E08B 03600	13241 S Hwy 211	0.32	RRFF5	R1	Hooked up to all services except sewer/storm
#7A	Rickles	Michelle	PO Box 511	Molalla	OR 97038	52E08B 03700	13341 S Hwy 211	0.12	RRFF5	R1	Hooked up to full City Services (Water/Sewer)
#7A	Day	Steven	PO Box 213	Molalla	OR 97038	52E08B 03800	13247 S Hwy 211	0.18	RRFF5	R1	Hooked up to all services except sewer/storm
#7B	Hansen	Cedric & Dorothy	13325 S Highway 211	Molalla	OR 97038	52E08B 04200	13325 S Hwy 211	1.27	RRFF5	R1	Home in use on property - No City services
#7B	Cruikshank	Curtis & Joyce	13303 S Highway 211	Molalla	OR 97038	52E08C 04100	13303 S Hwy 211	0.92	RRFF5	R1	Home in use on property - No City services
#7B	McEachran	Joann	630 Kalugin Court	Molalla	OR 97038	52E08B 04000	430 S West Lane	1.44	RRFF5	R1	Hooked up to all services except sewer/storm
#7B	Sledge Development		PO Box 605	Molalla	OR 97038	52E08B 03100	No Situs	5.05	RRFF5	R1	Undeveloped
#7B	Sledge Development		PO Box 605	Molalla	OR 97038	52E08B 03200	No Situs	5.05	RRFF5	R1	Undeveloped
#8	Torsen	Patricia	PO Box 577	Molalla	OR 97038	52E08C 00900	31615 S Hezzie Lane	0.21	RRFF5	C2	Comp Plan -General Commerical - Home on site & Hooked up to all services except sewer/storm
#8	Maloy	Scott & Carol	14550 S. Claim Road	Molalla	OR 97038	52E08C 00801	No Situs	0.34	RRFF5	C2	Undeveloped
#9	Campy	Edward	724 W Main Street	Molalla	OR 97038	52E08C 00600	724 W Main	2.4	RRFF5	C2	Hooked up to full City Services (Water/Sewer) In UB as 13352 HWY 211
#9	Campy	Edward	724 W Main Street	Molalla	OR 97038	52E08C 00500	No Situs	1.51	RRFF5	C2	Undeveloped
#9	Buttler	Nancy	133 NW Trinity Place #4	Portland	OR 97209	52E08C 00400	718 W Main Street	3.11	RRFF5	C2	Hooked up to all services except sewer/storm
#9	Molalla Mini Storage		14855 SE 82nd Drive	Clackamas	OR 97015	52E08C 00290	No Situs	0.48	C2	C2	Hooked up to Full City Service. Back 1/2 of Molalla Mini Storage - Front Half in City.
#9	Bunnell (Trustee)	Donald	13412 Choco Road	Apple Valley	CA 92308	52E08C 00390	No Situs	0.48	RRFF5	C2	Hooked up to Full City Service. Back half of 710 W. Main. 1/2 in City, 1/2 not.
#10	Kim	Yong	PO Box 2684	Wilsonville	OR 97070	52E08B 04800	102 S Leroy Avenue	0.39	RRFF5	C2	Fred's Food o' Mart - Hooked up to all services (Water/Sewer)
#10	Lopez-Ruiz	Eusebio	106 S Leroy Avenue	Molalla	OR 97070	52E08B 04700	104 S Leroy Avenue	0.48	RRFF5	C2	Comp Plan -General Commerical - Home on site & Hooked up to all services except sewer
#10	Uribe (Trustee)	Richard	PO Box 1157	Molalla	OR 97038	52E08B 04600	108 S Leroy Avenue	0.35	RRFF5	C2	Comp Plan -General Commerical - Home on site & Hooked up to all services except sewer
#10	Okert	David & Dianne	110 S Leroy Avenue	Molalla	OR 97038	52E08B 04500	110 S Leroy Avenue	0.48	RRFF5	C2	Comp Plan -General Commerical - Home on site & Hooked up to all services except sewer
#10a	Graber	James	PO Box 447	Molalla	OR 97038	52E08AC03700	107 S. Leory Avenue	0.76	RRFF5	C2	Comp Plan -General Commerical - Home on site & Hooked up to all services except sewer/storm
#10a	Hall	Harold E & Judy M	35771 S Highway 213	Molalla	OR 97038	52E08AC03800	727 W Main Street	0.38	RRFF5	C2	Comp Plan - General Commerical - Home on site & Hooked up to all services (Water/Sewer)
#10a #10a	Fleskes Feathers	Pamela Donald & Elizabeth	725 W Main Street	Molalla	OR 97038	52E08AC03900	725 W Main Street	0.51	RRFF5	C2	Comp Plan - General Commerical - Home on site & Hooked up to all services (Water/Sewer)
			723 W Main Street	Molalla	OR 97038	52E08AC04000	723 W Main Street	0.64	RRFF5	C2	Comp Plan -General Commerical - Home on site & Hooked up to all services (Water/Sewer)
#10a	Naylor Marsan	Michael & Marianne	721 W Main Street	Molalla	OR 97038	52E08AC04100	721 W Main Street	1.03	RRFF5	C2	Comp Plan -General Commerical - Home on site & Hooked up to all services (Water/Sewer)
#11	Marson	Frank	317 S. Leroy Avenue	Molalla	OR 97038	52E08AC01900	317 S. Leroy Avenue	0.39	RRFF5	R1	Hooked up to all services except sewer/storm
#11	Marson Blackburn	Frank William & Gail	317A S. Leroy Avenue	Molalla Molalla	OR 97038	52E08AC01800	317A S. Leroy Avenue	0.36	RRFF5	R1	Hooked up to all services except sewer/storm
#11	Hettick	William & Gail	312 S Leroy Avenue 404 Carol Court	Molalla	OR 97038	52E08AC02600	312 S. Leroy Avenue	0.76	RRFF5	R1	Hooked up to all services except sewer
#11	Battin	Richard & Shirley		Molalla	OR 97038	52E08AC02590	404 Carol Court	0.11	RRFF5	R1	Hooked up to full City Services (Water/Sewer)
#11	Murrell	Laurel Zach & Tessa	402 Carol Court	Molalla	OR 97038 OR 97038	52E08AC02890	402 Carol Court	0.18	RRFF5	R1	Hooked up to full City Services (Water/Sewer)
#12	Johnson	Teresa Lynn	646 Trinity Ct. 660 Trinity Ct.	Molalla Molalla	OR 97038	52E08BA00201 52E08BA00202	646 Trinity Court 660 Trinity Court	0.14	R3	R1	Hooked up to full City Services (Water/Sewer)
#12	Vannice	Mary		Molalla	OR 97038	52E08BA00202	Company of the Compan	0.14	R3	R1	Hooked up to full City Services (Water/Sewer)
#12	Kutcher	Lani & Becky	682 Trinity Ct. 692 Trinity Ct.	Molalla	OR 97038	52E08BA00204	682 Trinity Court 692 Trinity Court	0.14	R3	R1.	Hooked up to full City Services (Water/Sewer)
#12	Santos	Carlos	700 Trinity Ct.	Molalla	OR 97038	52E08BA00204	700 Trinity Court	0.14 0.14	R3 R3	R1	Hooked up to full City Services (Water/Sewer)  Hooked up to full City Services (Water/Sewer)
#12	Olsen	Matt & Jennifer	706 Trinity Ct.	Molalla	OR 97038	52E08BA00206	706 Trinity Court	0.14	R3	R1 R1	
	Rutledge	Tom & Janice	712 Trinity Ct.	Molalla	OR 97038	52E08BA00207	712 Trinity Court	0.14	R3	R1	Hooked up to full City Services (Water/Sewer)  Hooked up to full City Services (Water/Sewer)
	Schultz	Gary & Lyla	718 Trinity Ct.	Molalla	OR 97038	52E08BA00208	718 Trinity Court	0.14	R3	R1	Hooked up to full City Services (Water/Sewer)
		2-11.0			5.1 57050	J505, 50200	, 20 miley count	0.10	1,9	114	riconed of to fair city services (water/sewer)

‡12 Straub	Jessie & Breal	724 Trinity Ct.	Molalla	OR 97038	52E08BA00209	724 Trinity Court	0.15	R3	R1	Hooked up to full City Services (Water/Sewer)
12 Limbeck	Paul & Tracy	730 Trinity Ct.	Molalla	OR 97038	52E08BA00210	730 Trinity Court	0.15	R3	R1	Hooked up to full City Services (Water/Sewer)
12 Smith	Leslie	736 Trinity Ct.	Molalla	OR 97038	52E08BA00211	736 Trinity Court	0.15	R3	R1	Hooked up to full City Services (Water/Sewer)
12 Renard	Joseph	742 Trinity Ct.	Molalla	OR 97038	52E08BA00212	742 Trinity Court	0.09	R3	R1	Hooked up to full City Services (Water/Sewer)
12 Behrends	Marilyn	737 Trinity Ct.	Molalla	OR 97038	52E08BA00217	737 Trinity Court	0.19	R3	R1	Hooked up to full City Services (Water/Sewer)
12 Brittingham	Thomas & Nicole	741 Trinity Ct.	Molalla	OR 97038	52E08BA00216	741 Trinity Court	0.25	R3	R1	Hooked up to full City Services (Water/Sewer)
12 Alyea	Harold & Mary	805 Toliver Rd.	Molalla	OR 97038	52E08BA00225	800 Trinity Court	0.21	R3	R1	Hooked up to full City Services (Water/Sewer)
12 Ables	Jerry	19302 Rollins St.	Oregon City	OR 97045	52E08BA00218	709 Trinity Court	0.15	R3	R1	Hooked up to full City Services (Water/Sewer)
12 Blackman	Carol	703 Trinity Ct.	Molalla	OR 97038	52E08BA00219	703 Trinity Court	0.14	R3	R1	Hooked up to full City Services (Water/Sewer)
12 Anderson	Daniel & Amy	697 Trinity Ct.	Molalla	OR 97038	52E08BA00220	697 Trinity Court	0.14	R3	R1	Hooked up to full City Services (Water/Sewer)
12 Baker	John & Barbara	687 Trinity Ct.	Molalla	OR 97038	52E08BA00221	687 Trinity Court	0.14	R3	R1	Hooked up to full City Services (Water/Sewer)
12 Duffy	Patrick & Susan	677 Trinity Ct.	Molalla	OR 97038	52E08BA00222	677 Trinity Court	0.14	R3	R1	Hooked up to full City Services (Water/Sewer)
12 Pattison	Richard & Cilia	657 Trinity Ct.	Molalla	OR 97038	52E08BA00223	657 Trinity Court	0.14	R3	R1	Hooked up to full City Services (Water/Sewer)
12 Gomez	Martimiano & Irene	899 E. Main St. #9	Molalla	OR 97038	52E08BA00224	647 Trinity Court	0.15	R3	R1	Hooked up to full City Services (Water/Sewer)
13 Bentley (Trustee)	Brooks Ann	PO Box 1257	Molalla	OR 97038	52E07D 00102	No Situs	9.77	RRFF5	M2	Undeveloped
4 Schoenborn (Trustee)	Kathy	12966 S Highway 211	Molalla	OR 97038	52E07D 00300	12968 S Hwy 211	1.01	RRFF5	M2	Undeveloped - Back yard to 52E07D 00200
4 Schoenborn (Trustee)	Kathy	12966 S Highway 211	Molalla	OR 97038	52E07D 00200	12966 S Hwy 211	2.13	RRFF5	M2	Home in use on property - No City services. Comp Plan - Heavy Industrial - Home on Site
L4 Valov	William	2339 Montera	Hacienda Heights	CA 91745	52E07D 00400	12940 S Hwy 211	0.85	RRFF5	M2	Undeveloped
14 Valov	William	2339 Montera	Hacienda Heights	CA 91745	52E07D 00400	12930 S Hwy 211	0.32	M2	M2	Undeveloped
14 City of Molalla		PO Box 248	Molalla	OR 97038	52E07D 00600	No Situs	0.3	PSP	M2	Undeveloped
4 City of Molalla		PO Box 248	Molalla	OR 97038	52E07D 00701	No Situs	0.05	PSP	M2	Undeveloped
5 Carroll	Richard & Roxanne	7011 SE Bailey St	Lacey	WA 98513	52E07D 01200	No Situs	0.43	RRFF5	M2	Undeveloped
LS Carroll	Richard & Roxanne	7011 SE Bailey St	Lacey	WA 98513	52E07D 01100	12852 S Hwy 211	0.28	RRFF5	M2	Home in use on property - No City services
L5 Philpot	Fred	12860 S Highway 211	Molalla	OR 97038	52E07D 01000	12860 S Hwy 211	0.35	RRFF5	M2	Home in use on property - No City services
L5 Kirby (Estate)	Ruth	12874 S Highway 211	Molalla	OR 97038	52E07D 00900	12874 S Hwy 211	0.45	RRFF5	M2	Home in use on property - No City services
15 Price	Willard	12605 S Groshong Rd	Molalla	OR 97038	52E07D 00800	12888 S Hwy 211	0.33	RRFF5	M2	Home in use on property - No City services
16 Holmes	Mike & Katie	31600 S. Ona Way	Molalla	OR 97038	52E08C 01600	31600 S Ona Way	1.96	RRFF5	R3	Home in use on property - No City services
16 Burghardt	Jeanie	PO Box 363	Canby	OR 97013	52E08C 01700	No Situs	1.12	RRFF5	R3	Undeveloped
16 Puhlman	Roy & Faye	13210 S Highway 211	Molalla	OR 970138	52E08C 01500	13210 S Hwy 211	2.94	RRFF5	R3	Home in use on property - No City services
16 Corp Pres Bshp Ch Jesus Christ LDS		50 E North Temple St 22 Flr	Salt Lake City	UT 84150	52E08C 01400	13250 S Hwy 211	3.15	RRFF5	R3	Hooked up to full City Services (Water/Sewer)
.6 Cemetary Public		150 Beavercreek Road	Oregon City	OR 97045	52E08C 01900	No Situs	1.57	RRFF5	R3	Cemetary
17 Deardorff	Alan	PO Box 26	Colton	OR 97017	52E07A 02700	31465 S Hwy 213	0.94	C2	C2	County GIS says in City - Assessors says NO! Hooked up to full City Services (Water/Sewer)
17 Herigstad	Gordon	128 Shirley St	Molalla	OR 97038	52E07A 02601	31459 S Hwy 213	0.87	C2	C2	County GIS says in City - Assessors says NO! Hooked up to all City services except water (Stutz)
17 LMRK Group LLC		PO Box 601	Woodburn	OR 97071	52E07A 02600	31361 S Hwy 213	4.85	RRFF5	C2	Junk Yard - Hooked up to no City services
20							107.03			



## City of Molalla

117 N Molalla Avenue, PO Box 248, Molalla, Oregon 97038 Phone: (503) 829-6855 Fax: (503) 829-3676

# NOTICE OF PUBLIC HEARING

# CITY OF MOLALLA PROPOSED ANNEXATION TO THE CITY OF MOLALLA AND ASSIGNMENT OF CITY ZONING DESIGNATIONS.

NOTICE IS HEREBY GIVEN that the City of Molalla Planning Commission will hold a Public Hearing Wednesday, June 4, 2014, at 7:00 p.m. or thereafter, in the Molalla Adult Center, 315 Kennel Avenue, Molalla, Oregon.

- Revised Statutes Chapter 222.750 and withdrawing said property from certain taxing Consider recommendation to adopt a proposed Ordinance annexing certain unincorporated territory surrounded by the City of Molalla city limits under Oregon districts; and
- Consider adopting a proposed order assigning a City of Molalla zoning designation to each affected property consistent with the Comprehensive Plan S

permissible uses of your property, which may reduce the value of your property (Measure 56) The City of Molalla has determined that the adoption of this land use action may affect the

The annexation affects property identified on the attached map.

Applicable criteria for annexations are found in Oregon Revised Statutes Chapter 222.750 and the City's Comprehensive Plan. Criteria includes:

- Consistency with applicable provisions in ORS 195 agreements or ORS 195 annexation
- Consistency with applicable standards for boundary changes contained within the Comprehensive Plan and applicable public facility plans; S
- Whether the proposed boundary change will promote or not interfere with timely, orderly and economic provision of public facilities and services; 3
  - Consistency with criteria for a boundary change under state and local law.

This hearing is open to the public and interested parties are encouraged to attend. A copy of the representing not less than 10% of the registered voters in the City at the time of the prospective petition is filed (approximately 800 valid elector signatures) must be filed with the City Recorder no later than the 30th day after the adoption of the ordinance. reports, proposed ordinance and supporting documents are available for inspection before the hearing at Molalla City Hall. Pursuant to State Law the ordinance enacting this annexation proposal subject to referendum. A prospective referendum petition, as well as required forms that must be filed with the City Recorder after the ordinance is adopted, and signatures

Failure to raise an issue at the hearing, in person of by letter, and provide statements or evidence sufficient to afford the Planning Commission or City Council an opportunity to respond to the issue precludes appeal to the Oregon Land Use Board of Appeals on that issue Written comments or testimony may be submitted at the hearing or sent to the attention of the City Recorder, 117 N. Molalla Avenue, Molalla, OR 97038 prior to the hearing. For further information, please call Dan Huff, City Manager, at 503-829-6855, or e-mail <a href="mailto:dhuff@cityofmolalla.com">dhuff@cityofmolalla.com</a>.

Recorder
City
Cramer,
Sadie

Publish May \_\_\_\_\_\_, 2014

## Annexation of unincorporated territory 2011 ORS § 222.7501 surrounded by city

- (1) As used in this section:
- Creek means a natural course of water that is smaller than, and often tributary to, a river, but is not shallow or intermittent. (a)
- River means a large, continuous and natural stream of water that is fed along its course by converging tributaries and empties into an ocean, lake or other body of water. (p)
- When territory not within a city is surrounded by the corporate boundaries of river, a creek, a bay, a lake or Interstate Highway 5, the city may annex the territory pursuant to this section after holding at least one public hearing on the city, or by the corporate boundaries of the city and the ocean shore, a the subject for which notice has been mailed to each record owner of real property in the territory proposed to be annexed. (7)
- (3) This section does not apply when the territory not within a city:
- (a) Is surrounded entirely by water; or
- of the corporate boundaries of the city that consists only of a public right Is surrounded as provided in subsection (2) of this section, but a portion of way, other than Interstate Highway 5, constitutes more than 25 percent of the perimeter of the territory. (p)
- section must be by ordinance or resolution subject to referendum, with or Unless otherwise required by its charter, annexation by a city under this without the consent of any owner of real property within the territory or resident in the territory. (4)
- initiated by the city under this section, the city shall specify an effective date after the date the city proclaims the annexation approved. The city recorder for the annexation that is at least three years and not more than 10 years For property that is zoned for, and in, residential use when annexation is or other officer performing the duties of the city recorder shall: (2)
- clerk of the county in which any part of the territory subject to delayed (a) Cause notice of the delayed annexation to be recorded by the county

- annexation is located within 60 days after the city proclaims the annexation approved;  $\underline{\mathbf{and}}$
- subject to delayed annexation is located not sooner than 120 days and Notify the county clerk of each county in which any part of the territory not later than 90 days before the annexation takes effect. (p)
- delayed annexation becomes part of the city immediately upon transfer of Notwithstanding subsection (5) of this section, property that is subject to ownership. (9)
- This section does not limit provisions of a city charter, ordinance or resolution annexing territory that is surrounded as described in subsection (2) of this that are more restrictive than the provisions of this section for creating or section. 3
- proposed to be annexed to vote in the election on the question of annexation. [Amended by 1963 c.444 §1; 1985 c.702 §16; 2007 c.654 §1; 2007 c.706 §1] If the governing body of the city finds that a majority of the votes cast in the city and the territory combined favor annexation, the governing body, by proclamation shall contain a legal description of each territory annexed. If a city charter, ordinance or resolution requires the city to conduct an ordinance or resolution, shall proclaim the annexation approved. The election in the city, the city shall allow electors, if any, in the territory 8

Notes of Decisions

Permitting annexation of surrounded territory without vote of residents does not deprive residents of right to equal protection under United States Constitution. Kane v. City of Beaverton, 202 Or App 431, 122 P3d 137 (2005)

Beaverton, 206 Or App 380, 136 P3d 1219 (2006), affd 343 Or 18, 161 P3d 926 contiguous with corporate boundaries of annexing city or corporate boundaries Surrounded by means territory to be annexed is completely enclosed by and of annexing city and body of water. Costco Wholesale Corp. v. City of (2007)

Chapter 222

## Notes of Decisions

Stewart v. City of Corvallis, 48 Or App 709, 617 P2d 921 (1980), Sup Ct review Provisions of this chapter do not require final decisions on small tract annexations to be made in quasi-judicial proceedings rather than by popular vote. denied

## Related Statutes<sup>3</sup>

12.270

Conclusive presumption of validity of governmental subdivision boundary proceedings one year after effective date

197.175

Cities and counties planning responsibilities

199.487

Commission authority to initiate minor boundary change

• 199.490

Procedure for minor boundary changes or transfers of territory

. 222.050

Certain consolidations and mergers

222.183

Notice of annexation when effective date delayed for more than one year

• 222.280

Election of officers

222.855

Annexation to remove danger to public health

Currency Information

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<sup>&</sup>lt;sup>1</sup> Legislative Counsel Committee, CHAPTER 222—City Boundary Changes; Mergers; Consolidations; Withdrawals, http://www.leg.state.or.us/ors/222.html (2011) (last accessed Mar. 25, 2012).

<sup>&</sup>lt;sup>2</sup> Legislative Counsel Committee, *Annotations to the Oregon Revised Statutes, Cumulative Supplement - 2011, Chapter 222, http://www.leg.state.or.us/ors/annos/222ano.htm (2011) (last ac*cessed Mar. 25, 2012).

<sup>&</sup>lt;sup>3</sup> OregonLaws.org assembles these lists by analyzing references between Sections. Each listed item refers back to the current Section in its own text. The result reveals relationships in the code that may not have otherwise been apparent.

## CORRESPONDENCE

Pat Torsen Carol Maloy Et Al. Susan Hansen

Affected property owner Letter submitted prior to the public hearing
Affected property owner Letter submitted prior to the public hearing
Testimony and letter received at the public hearing

Attention: Dan Huff;

This letter is in regards to the annexation of the Proposed Annexations to the City Limits

My property is included in this list, which I do not abject to, however; upon viewing all the area being annexed, I would like to propose three other areas that are within city boundaries that are not being listed to annex.

- The corner of Lowe Rd., there seems to be two lots that are not in the city? And they are not on the list to be annexed in.
  - The area on both sides of Hwy 213 that are within the Forest Road Purple boundary lines.

If we are doing this, let's get it done all at once, for future development. The City Limits City Limits. Let's not leave out little pieces again. This is supposed to be the purpose of are moving out. Big Businesses can develop on the other side of 213 and still be in the This Annexation!

the responsibility of maintaining it instead of the county? We need a fence around it and a gate. The ground is being checked for other graves, and many more are there. They have already been desecrated, thanks to the apartment builders. The property on the other side Also, the Dibble, Larkin, Jackson Cemetery is on this list! Do you want the City to have of the cemetery towards Lowe Road should be donated to the Cemetery to make up for the damage that was done. The property behind the apartments can be fenced in for apartment area recreation. The other side they have already been developing!!!!

Let's get this all done at once, so we don't have to do it later.

Thank You,

Patricia Torsen cc Debbie Rogue, Mayor



City of Molalla 117 N. Molalla Avenue Molalla, OR 97038

City of Molalla Proposed Annexation / Assignment of City Zoning Designations Notice Parcels 5S 2E 08B, 03100 (account 01091927) and 5S 2E 08B, 03200 (account 01091936)

Dear City of Molalla Representative:

specifically as it relates to the two parcels noted, we are sending this letter to document the following: In regards to the notice received concerning a public hearing scheduled for June 4, 2014, and

- ... We confirmed with the City on 5/2/14 that these properties were annexed in 2007 by City of Molalla Ordinance 2007-3, were rezoned R-1 at that time, and have been paying City taxes since then.
- County and will have no substantive effect on these two properties in any way, including not changing ... We have been told by the City that this proceeding is just to correct a mapping error at Clackamas the R-1 zoning.
- ... We express no opinion on whether or not these properties are needed to satisfy the requirements of state laws for annexation of other parcels.
- ... If any of this is incorrect we object to the proceedings as it affects these two parcels and should be contacted immediately.

Sincerely,

N. Scott Maløly, Member Member Carol Maloy,

P.O. Box 605 - Molalla, OR 97038 For SLEDGE DEVELOPMENT, LLC

> DECEIVE JUN 0 3 7014 O NO



## STAFF REPORT

**TO:** Planning Commission

**FROM:** City Manager

**DATE:** June 4, 2014

SUBJECT: CITY INITIATED ISLAND ANNEXATION AND ZONE CHANGE

FILE No.: City File Number P-6-14

This matter is scheduled for public hearing during the regular June 4, 2014 meeting of the City of Molalla Planning Commission at 7:00PM at the Adult Center, 315 Kennel Ave., Molalla, OR.

## I. SUMMARY

This Staff Report is in regards to a proposed legislative city initiated island annexation and zone change that requires the Planning Commission to make certain land use decisions and recommendations to the Molalla City Council prior to a final Council ordinance adoption. This particular action involves 96 properties located within the Molalla Urban Growth Area (UGA) that meet statutory definitions of islands that can be annexed by the City of Molalla (Exhibit A). The Commission will notice by examining the water and sewer connection map and property spreadsheet (Exhibits C & D) that 42 of the identified properties are fully served by the City of Molalla with water and sewer service and 18 have partial city services.

This proposal will be evaluated by the Planning Commission based on the following criteria:

- 1. Does this proposal comply with the Statewide Planning Goals?
- 2. Can properties affected by this proposal be adequately served by urban services?
- 3. Does this proposal comply with the Comprehensive Plan?
- 4. Does this proposal comply with applicable Oregon Administrative Rules?

Following legal review and adherance to statutory notification requirements the proposed annexation appears to satisfy applicable approval criteria. Based on the following Findings, Staff recommends that the Planing Commission recommend approval of the island annexation and accompanying zone changes to the City Council.

## **GENERAL INFORMATION**

Based on the attached map(s) (Exhibits A, B and C) and spreadsheet (Exhibit D) the Planning Commissions deliberation of this matter affects 96 individual properties throughout the west portion of the City of Molalla Urban Growth Area. All properties were mailed an individual public notice (Exhibit E) and provided a map (Exhibit A) to identify their individual ownership. Public notice was provided in the Molalla Pioneer and posted on the City website. Notice to the Department of Land Conservation and Development (DLCD) was also provided within the required notification timeframe.

The subject properties comply with various definitions of "islands" as described in ORS 222.750 (Exhibit F). Each of these properties will also recieve the appropriate city zoning designation that complies with the underlying Comprehensive Plan designation as shown on the spreadsheet. **No Comprehensive Land Use designations will be affected by this action.** 

## **EXHIBITS**

Exhibit A	Property Vicinity Map
Exhibit B	Zoning Map
Exhibit C	Existing Water and Sewer connections Map
Exhibit D	Property Spreadsheet
Exhibit E	Public Notice
Exhibit F	ORS 211.750

### **PROCEDURES**

This specific action is specific to the identified 96 properties and will not affect other properties not shown or shall approve development of the properties identified. This is a legislative action but because the City is applying compliant city zones to these properties a quasi judicial hearing process is required. During this hearing the Commission will receive the subject staff report, take written and verbal testimony, consider facts and criteria and render a decision based on the information available.

To date Staff has received nine (9) phone calls or personal visits at City Hall but no written testimony.

To assist the Planning Commission in forming a recommendation regarding this matter, Staff offers the following Findings. Should the Commission move to provide a recommendation a final decision document will be prepared for the Chair's signature.

## PROCEDURAL FINDINGS

- 1. The City of Molalla is initiating a legislative island annexation of 96 individual properties located within the Molalla Urban Growth Area. The process will also include zone changes for all 96 properties from Clackamas County zoning to a compliant City of Molalla zoning district as detailed on the attached zoning map (Exhibit B) and property attribute spreadsheet (Exhibit D).
- 2. Notice of Proposed Land Use Regulation Amendment (DLCD Form 1) was electronically mailed to the Department of Land of Conservation and Development (DLCD) on April 25, 2014.
- 3. On April 29, 2014 Notice of Public Hearing before the Molalla Planning Commission was mailed to all record owners of the property proposed to be annexed and rezoned. The Notice was published in the Molalla Pioneer on May 14, 2014 and posted on the City of Molalla Website.
- 4. The City of Molalla has not received written testimony or correspondence from property owners concerning the proposed annexation and zone change as of the print of this staff report.
- 5. This matter came before the Molalla Planning Commission for consideration on June 4, 2014. The Planning Commission received the staff report, and heard public testimony.

**Conclusion:** The procedural findings noted above are adequate to support the Planning Commission's recommendation on the requested annexation and zone changes.

## II. DECISION CRITERIA AND SUBSTANTIVE FINDINGS OF FACT

Chapter 222.750 of the Oregon Revised Statutes (ORS) provides procedures for annexation of unincorporated territory surrounded by Cities. In addition, state statute requires that proposed amendments to Molalla's Zoning Map be consistent with the Statewide Planning Goals. Finally, Section 19.7.300 of the Development Code provides specific local criteria for approving a zone change.

The requested annexation and zone changes are measured here against these state and local criteria. The results of this analysis are presented as proposed Findings of Fact below.

## COMPLIANCE WITH ANNEXATION PROCEDURES OF ORS CHAPTER 222,750

Chapter 222.750 of the Oregon Revised Statutes provides the procedures for annexing unincorporated territory to the City of Molalla (Exhibit F).

Finding: The subject annexation and zone change complies with ORS 222.750 and has been reviewed by legal counsel for legal and case law purposes.

ORS 222.111(2) provides that "A proposal for annexation of territory to a city may be initiated by the legislative body of the city, on its own motion, or by a petition to the legislative body of the city by owners of real property in the territory to be annexed."

Finding: The City Council of the City of Molalla by its own motion has initiated this action as a legislative body and the action complies with statutory requirements.

Conclusion: The annexation and zone change proposal conforms to the procedures provided by ORS Chapter 222.750 for annexation of unincorporated territory surrounded by the City of Molalla.

## CONSISTENCY WITH THE STATEWIDE PLANNING GOALS

**Goal 1: Citizen Involvement.** To provide for widespread citizen involvement in the planning process, and to allow citizens the opportunity to review and comment on proposed changes to comprehensive land use plans prior to any formal public hearing to consider the proposed changes.

Findings: Statewide Planning Goal 1 requires cities and counties to create and use a citizen involvement process designed to include affected area residents in planning activities and decision-making. On April 29, 2014, City staff mailed copies of a Notice of Public Hearing and map to all owners affected by this action (Exhibit E). The same notice was published in the Molalla Pioneer on May 14, 2014. Written information and/or Staff Report was available seven days prior to the June 4, 2014 public hearing at Molalla City Hall.

Conclusion: Statewide goal of citizen involvement has been met through the mechanisms described above.

**Goal 2:** Land Use Planning. To establish a land use planning process and policy framework as a basis for all decisions and actions related to land use and to ensure a factual base for such decisions and actions.

Finding: Molalla's acknowledged Comprehensive Plan and implementing ordinances provide a State-approved process for land use decision making, and a policy framework derived from a proper factual base. The City's Comprehensive Plan, implementing ordinances and State Law provide criteria by which the proposed island annexation will be processed. All of the subject properties are within the Molalla Urban Growth Area.

Conclusion: Statewide goal of land use planning has been met through the use of Molalla's acknowledged Comprehensive Plan, implementing ordinances and State Law

## Statewide Planning Goals 3 and 4 have been combined for the purposes of this Staff Report as follows:

**Goal 3:** Agricultural Lands. To preserve and maintain agricultural lands.

**Goal 4: Forest Lands.** To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land....

Finding: Neither Goal 3 or 4 apply to this action because all properties are within the Molalla UGA and none of the properties have agricultural or forest Comprehensive Plan designations.

Conclusion: The proposed zone changes will not adversely impact agricultural lands as defined by Statewide Planning Goal 3, or forest lands as defined by Goal 4 nor do either of these Goals apply.

Goal 5: Open Spaces, Scenic and Historic Areas, and Natural Resources. To protect natural resources and conserve scenic and historic areas and open spaces.

Finding: Statewide Planning Goal 5 requires local governments to adopt programs that will protect natural resources and conserve scenic, historic, and open space resources for present and future generations. Goal 5 requires local governments to inventory natural resources such as wetlands, riparian corridors, and wildlife habitat. In addition, Goal 5 encourages local governments to maintain current inventories of open spaces, scenic views and sites, and historic resources. Significant sites must be identified and protected according to Goal 5 rules contained in the Oregon Administrative Rules, Chapter 660, Division 23.

Goal 5 resources within the Molalla UGA have previously been inventoried and evaluated. The subject properties except one are all designated for urban development and many of these properties are currently developed at an urban level. The one exception is the Pioneer Cemetery currently owned and under the jurisdiction of Clackamas County. The annexation and zone change will not affect ownership or jurisdictional responsibility of the Pioneer Cemetery.

Conclusion: The island annexation and zone changes will not conflict with or adversely impact Goal 5 and are consistent with Goal 5.

**Goal 6:** Air, Water, and Land Resource Quality. To maintain and improve the quality of air, water and land resources of the State.

Finding: Statewide Planning Goal 6 requires that waste and process discharges from future development, combined with that of existing development, do not violate State or Federal environmental quality regulations. The annexation and rezoning does not approve development activity and is unlikely to generate waste streams that are significantly more adverse to the environment and the City's treatment capacity than would be the case if the property remained unincorporated.

The City has regulations in place to control the generation and disposal of wastes, and the properties are or either can be served by City water and sewer service once annexed. Therefore, the proposed annexation and rezoning is not expected to have any deleterious effects on the quality of the air, water, or land resources of the State. Existing state, federal, and local land use and environmental standards will be sufficient to ensure that subsequent land use activities regarding current and future development will be conducted in a manner that is consistent with, and will achieve the purpose of Goal 6.

Conclusion: The requested annexation and zone changes are consistent with Statewide Planning Goal 6.

**Goal 7:** Areas Subject to Natural Disasters and Hazards. To protect life and property from natural disasters and hazards.

Finding: The subject properties contain relatively flat topography similar to the balance of Molalla and are not within a special overlay zone or in an area that is designated as susceptible to flooding or other natural hazards. Any new development on any of the properties will be required to comply with development standards, building codes and public safety requirements. These existing regulations serve to ensure the protection of life and property.

Conclusion: Based on the above findings, the requested map amendments will be consistent with Goal 7.

**Goal 8:** Recreational Needs. To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the citing of necessary recreational facilities including destination resorts.

Finding: The subject property has not been designated by the City of Molalla or Clackamas County as land needed to meet the recreational needs of the citizens of, or visitors to, the state of Oregon. The property is currently zoned by the City and Clackamas County for urban development with no special geographic or natural advantages for recreational use.

Conclusion: The requested annexation and zone change will not adversely affect recreational opportunities within the City limits or urban growth boundary. The proposal is

consistent with Goal 8.

**Goal 9: Economy of the State.** To provide adequate opportunities throughout the State for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's

citizens.

Finding: The subject properties are located inside the City's UGB, and planned for urban

development. Annexation and compliant zoning does not approve development but will have the effect of allowing future urban development pursuant to current development standards and regulatory compliance of these properties within the city

limits of Molalla.

Conclusion: The Statewide goal of providing adequate economic opportunities will be met by

approving the request.

**Goal 10:** Housing. To provide for the housing needs of citizens of the State.

Finding: The proposed annexation and zone change includes a variety of fully developed,

partially developed, nonconforming developed and vacant residential, commercial and industrial land. For example, Trinity Estates is a fully served and developed city standard subdivision. Each of these properties are within the UGB and the residential land is included within the current Buildable Lands Inventory as developable and

urbanizable land.

Conclusion: The proposed annexation and zone changes are therefore consistent with Goal 10.

**Goal 11:** Public Facilities and Services. To plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban and

rural development.

Finding: Most of the properties are currently served or partially served with urban levels of

water and sewer service from the City of Molalla (Exhibit C & D). Specifically, the

96 properties are served with water and sewer as follows:

Fully served with water and sewer 42

Partially served with one service 18

Developed with no service 16

Vacant or undeveloped 20 (Includes Pioneer Cemetery)

Currently, there are water and sewer mains located within a reasonable distance from all properties identified as part of this action. All properties are located within the infrastructure planning areas for the City of Molalla.

Conclusion: Based on the above findings, Staff concludes that the proposal is consistent with Statewide Planning Goal 11.

**Goal 12: Transportation.** To provide and encourage a safe, convenient, and economic transportation system.

Finding: This action is not for the purpose of approving development activity and only includes the annexation and zone change to compliant zones for each of these properties. All properties are located within the UGB and have been included within the current Transportation System Plan as well as the unacknowledged Downtown Molalla Development and OR 211 Streetscape Plan. This action alone will not lead to a change in the existing level of service or otherwise have a significant impact on the transportation system.

Conclusion: Future development that includes providing access to the properties will be addressed by the City at the time a specific development proposal is reviewed. Based on the above finding, the annexation and zone change are consistent with Statewide Planning Goal 12.

#### **Goal 13: Energy Conservation.** To conserve energy.

Finding: Statewide Planning Goal 13 requires that land uses shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles. Properties included in this action are either currently or partially served with all forms of energy available within the Molalla UGB. The proposal is consistent with principles of efficient land use and energy efficiency.

Conclusion: The annexation and zone changes are consistent with Goal 13.

**Goal 14: Urbanization.** To provide for an orderly and efficient transition from rural to urban land use.

Finding: The 96 properties are all "urbanizable land" and located within the Molalla UGB and do not include any rural designated land based on Goal 14 language. Provisions of this Goal have been previously met through the acknowledgment of the City's UGA certifying compliance with Goal 14 and the ability to provide urban services

Conclusion: The annexation and zone changes are consistent with the purposes and intent of Statewide Planning Goal 14.

### III. COMPLIANCE WITH CITY OF MOLALLA ZONE CHANGE CRITERIA

Section 19.7.300 (B) of the Molalla development Code (*Zone Changes*) provides the following criteria for approving a zone change:

- 1. Approval of the request is consistent with the Statewide Planning Goals;
- 2. Approval of the request is consistent with the Comprehensive Plan;
- 3. The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided in the planning period; and
- 4. The change is in the public interest with regard to neighborhood or community conditions, or corrects a mistake or inconsistency in the comprehensive plan or land use district map regarding property which is the subject of the application; and
- 5. The amendment conforms to applicable administrative rules of the Oregon Land Conservation and Development Commission, including the transportation planning rules.

The Commission should note that this action is a Legislative Action and does not necessarily have specific criteria. However, quasi-judicial zone changes require the process as detailed above and provide guidance for a fully processed decision. Much of the criteria has been discussed previously and to reduce redundancy we will refer to previous statements when applicable.

Criteria #1 Statewide Planning Goals: See Section II.

**Criteria #2 Comprehensive Plan Consistency:** The proposed zone changes conform to the Molalla Comprehensive Plan including both the map and written policies by virtue of the zone changes occurring as part of this action. Each of these properties has been located within the Molalla UGB since the creation of the boundary and have been included as part of all full build out plans throughout the planning period.

**Criteria # 3 Public Facilities:** The discussion under Section II Statewide Planning Goal 11 highlights this criteria as part of the Statewide Planning Goal section. But to reiterate the properties identified as part of this action are either fully served or partially served with existing city services including water, sewer, streets and storm drainage. The annexation and zone change by itself will not create any additional need for public facilities and services, subsequent development almost certainly will. However, the extent to which additional public facilities and services is required to serve the property will be determined at the time of development.

**Criteria #4 Public Interest**: The public interest regarding this matter is in the form of development consistency and equity. Highway 211/Main Street is the gateway to Molalla and varying development standards, enforcement and taxation has created an inconsistency for current city residents. This action will apply uniform development standards, enforcement and taxation throughout the developed City of Molalla.

Criteria #5 OAR Compliance: See Section II

Finding: The proposed annexation and zone changes for the 96 properties comply with provisions identified in the Molalla Development Code.

### IV. CONCLUSION

As stated earlier in this Staff Report the Planning Commissions decision process centers on the following;

- 1. Does this proposal comply with the Statewide Planning Goals?
- 2. Can properties affected by this proposal be adequately served by urban services?
- 3. Does this proposal comply with the Comprehensive Plan?
- 4. Does this proposal comply with applicable Oregon Administrative Rules?

Based on the foregoing findings it is Staff's position that the proposed action complies with the Statewide Planning Goals, can be served with urban levels of service, complies with the Molalla Comprehensive Plan and complies with applicable OAR's. Staff recommends that the Planning Commission forward a recommendation of approval to the City Council regarding this annexation and zone change action.

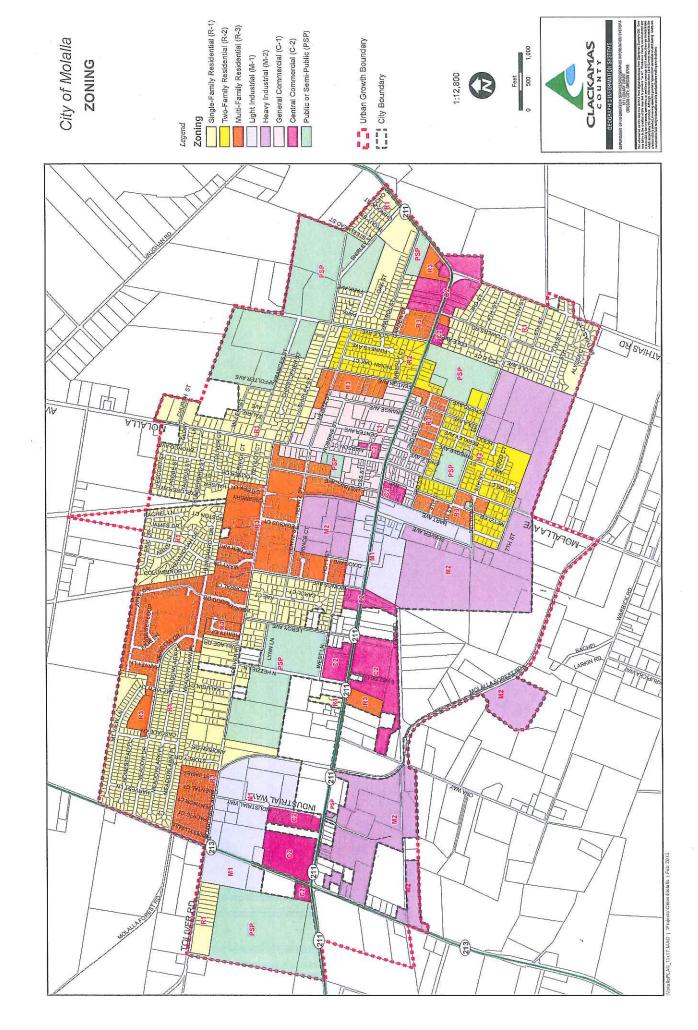
#### V. ACTION ALTERNATIVES

The Molalla Planning Commission should take one of the following actions before the close of this meeting:

- Close the public hearing and, after deliberating on the matter, pass a motion to recommend to the City Council approval of the requested annexation and zone changes.
- 2. Close the public hearing and, after deliberating on the matter, pass a motion to **recommend** to the City Council **denial** of the proposed annexation and zone changes.
- **3.** Pass a motion to **continue the public hearing** to a specified date and time, or to close the public hearing and to leave the record open to a specified date and time for submittal of additional evidence and rebuttal.

When the Planning Commission makes a decision on the application, it must also make specific findings to support its decision such as adopting the Staff Report as its Findings Document. The Planning Commission may also pass a motion to authorize the Chair of the Planning Commission to review and sign the *Findings of Fact and Decision* document on its behalf, or it may pass a motion directing Staff to prepare the *Findings* document for its approval and signature at the next Planning Commission meeting.

Dan Huff	
City Manager	



### CITY OF MOLALLA

#### **ORDINANCE No. 2014 - 06**

# AN ORDINANCE ANNEXING ISLAND TERRITORY INTO THE CITY OF MOLALLA, WITHDRAWING THE TERRITORY FROM SPECIAL DISTRICTS, AMENDING THE COMPREHESIVE PLAN AND REZONING PROPERTY.

**WHEREAS**, pursuant to ORS 222.750, the City of Molalla ("City") initiated annexation of territory surrounded by the corporate boundaries of the City (Case File No. P-6-2014);

**WHEREAS**, the City notified affected property owners and others entitled to notice under the City's code and notified the state of its intent to annex such territory;

WHEREAS, on June 4, 2014, the Molalla Planning Commission held a duly noticed public hearing to consider the annexation of several islands surrounded by the City's corporate boundaries;

**WHEREAS**, the planning commission recommended the Molalla City Council annex the islands in accordance with the City's code and state law; and

**WHEREAS**, the city council held a public hearing on July 9, 2014 and decided to annex the islands, withdraw the islands from certain districts, amend the properties' comprehensive plan designations and change the zoning on the properties from county to city zoning.

**NOW, THEREFORE,** the City of Molalla ordains:

**Section 1.** The real property that is the subject of this ordinance is located in a tract of land being portion of Tract 3 of the Plat of "Toliver Acres", located in the Northeast one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon:

Tax Lot No. 52E08AA03690.

This property is annexed into the City of Molalla. A meets and bounds legal description, surveyor's map, current Clackamas County Property Report and a time stamped photo of the property are attached and incorporated as Exhibit A.

**Section 2.** The existing Clackamas County comprehensive plan designation, R (Rural Residential), is changed to a City plan designation of MFR (Multi-Family Residential). This change is supported by findings, attached and incorporated as Exhibit B.

**Section 3.** The existing Clackamas County zoning for the affected property, RRFF5 (Rural, Residential, Farm/Forest, 5-acre Minimum Lot Size) is changed to R-3 (Multi-Family Residential). The property is currently vacant and undeveloped.

**Section 4.** The territory is withdrawn from the following service/special districts: None noted.

**Section 5.** Lawfully established land uses occurring on or within the annexed territory may continue and will be treated as nonconforming uses after the effective date of annexation to the City.

Section 6. The Molalla City Recorder shall:

- 1. Mail a copy of this ordinance and attachments to the Oregon Department of Revenue;
- 2. Mail a copy of this ordinance to Clackamas County and all affected service districts;
- 3. Mail a copy of this ordinance to the Oregon Department of Land Conservation and Development, together with the appropriate forms required by the department; and
- 4. If the property owner of the annexed territory appeared before the planning commission or city council, mail a notice to the property owner summarizing this ordinance and describing the owner's right to appeal this decision.

Adopted this 9th day of July by the City Cou	ıncil of the City of Molalla on a vote of	ayes and
nays.		
	Mayor Deborah Rogge	
Attest this 9th day of July 2014		
City Recorder Sadie Cramer		

## **ZTec Engineers, Inc.**

Civil ♦ Structural ♦ Surveying

John McL. Middleton, P.E.

Chris C. Fischborn, P.L.S. 3737 SE 8<sup>th</sup> Ave. Portland, OR 97202 503-235-8795 FAX: 503-233-7889

Email: chris@ztecengineers.com

Ronald b. Sellards, P.E.

840 S. Tolliver Road Annexation to the City of Molalla

A Tract of land being a portion of Tract 3 of the Plat of "Tolliver Acres", located in the Northeast onequarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon. Said Tract of land being more particularly described as follows:

Beginning at the Northwest corner of Clackamas County Partition Plat No. 1999-59, said point also being the Northeast corner of that tract of land described in that Deed recorded Document No. 2013-018962, Clackamas County Deed Records; thence South 07°21'30" East along the Westerly boundary line of said Partition Plat No. 1999-59, and its Southerly extension, a distance of 656.27 feet to a point on the Northerly right of way line of South Tolliver Road; thence South 08°00'00" West, at right angles to said South Tolliver Road, a distance of 50.00 feet to a point on the Southerly right of way line of said South Tolliver Road; thence North 82°00'00" West, along said Southerly right of way line, a distance of 21.46 feet to a point; thence North 08°00'00" East at right angles to said South Tolliver Road, a distance of 50.00 feet to a point on said North right of way line of said South Tolliver Road, said point being the Southeast corner of that tract of land described in that Deed recorded as Document No. 99-007711, Clackamas County Deed Records; thence North 07°21'30" West, along the Easterly line of said Document No. 99-007711 tract, a distance of 128.46 feet to the Northeast corner thereof; thence North 82°00′00″ West, along the Northerly line of said Document No. 99-007711 tract, and along the Northerly line of that tract of land described in that Deed recorded as Document. 2012-047865, Clackamas County Deed Records, a distance of 147.73 feet to the Northwest corner of said Document No. 2012-047865 tract, said point also being on the Easterly line of that tract of land described in that Deed recorded as Document No. 2005-112377, Clackamas County Deed Records;

> REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON JULY 17, 1981 CHRIS FISCHBORN

**EXHIBIT A** 

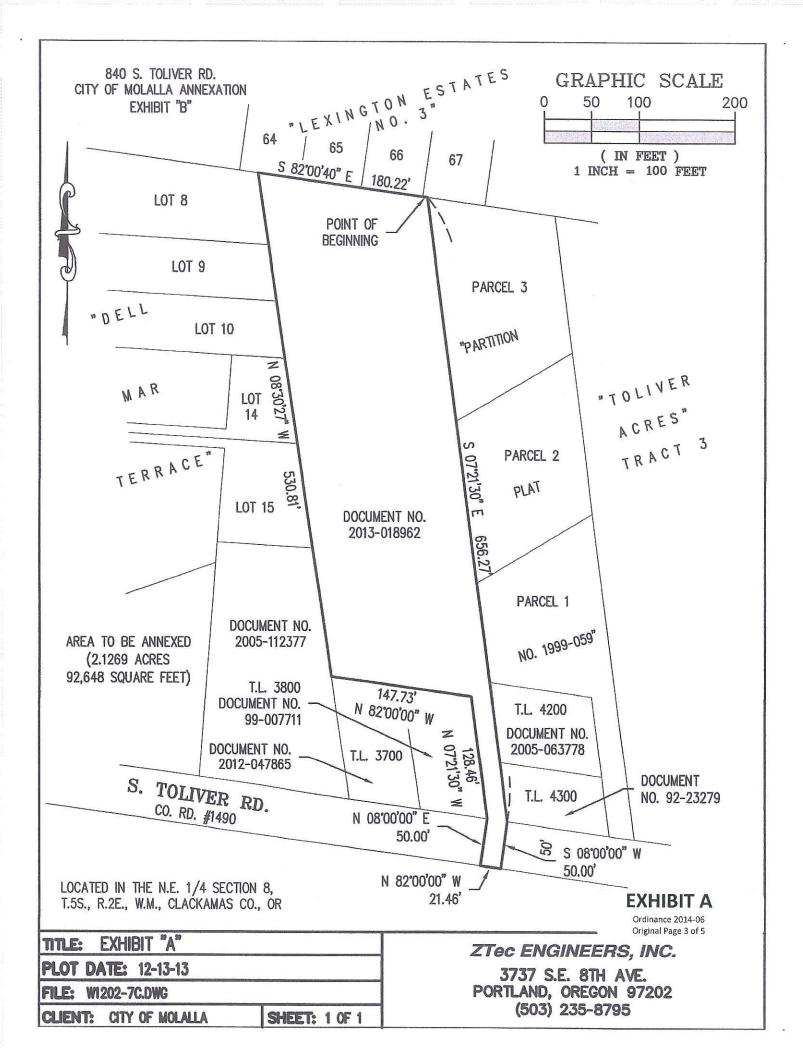
Ordinance 2014-06 Original Page 1 of 5 thence North 08°'30'27" West, along said Easterly line, and along the Easterly line of the Plat of "Del Mar Terrace" (Plat No. 3289), a distance of 530.81 feet to the Northeast corner of said "Dell Mar Terrace", said point also being the Northwest corner of said Document No. 2013-018962 tract; thence South 82°00'40" East, along the North line of said Document No. 2013-018962 tract, a distance of 180.22 feet to the true point of beginning of the Tract of land herein described.

Said Tract of land contains an area of 2.1269 acres (92,648 square feet) more or less.

The bearings and distances in the description are based on Clackamas County Partition Plat No. 1999-59 and on the Plat of "Del Mar Terrace".

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON JULY 17, 1981 CHRIS FISCHBORM





## **Property Report**

SPOTTEN BLAKE 30471 S HWY 213 MOLALLA, OR 97038

Site Address:

NO SITUS

Taxlot Number:

52E08AA03690

Land Value:

17025

Building Value:

Total Value:

17025

Acreage:

Year Built:

Sale Date:

03/18/2013

Sale Amount:

125000

Sale Type:

X

Land Class:

100

**Building Class:** 

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035013

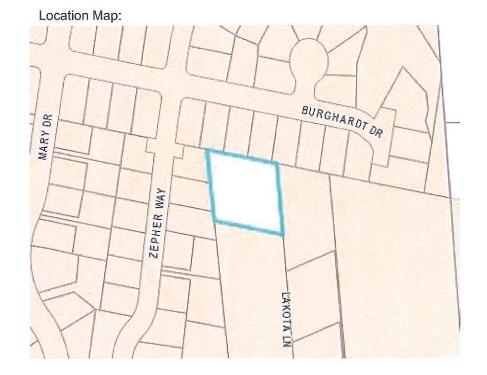
Site Characteristics:

UGB:

MOLALLA

Flood Zone:

Not Available



Zoning Designation(s):

<u>Zone</u>

Overlays:

0.61

Acreage:

RRFF5

Fire

Molalla RFPD #73

Park

N/A

School Sewer

**SCH 35 MOLALLA RIVER** N/A

Water Cable

N/A

CPO

City

Garb/Recvc

City

City/County

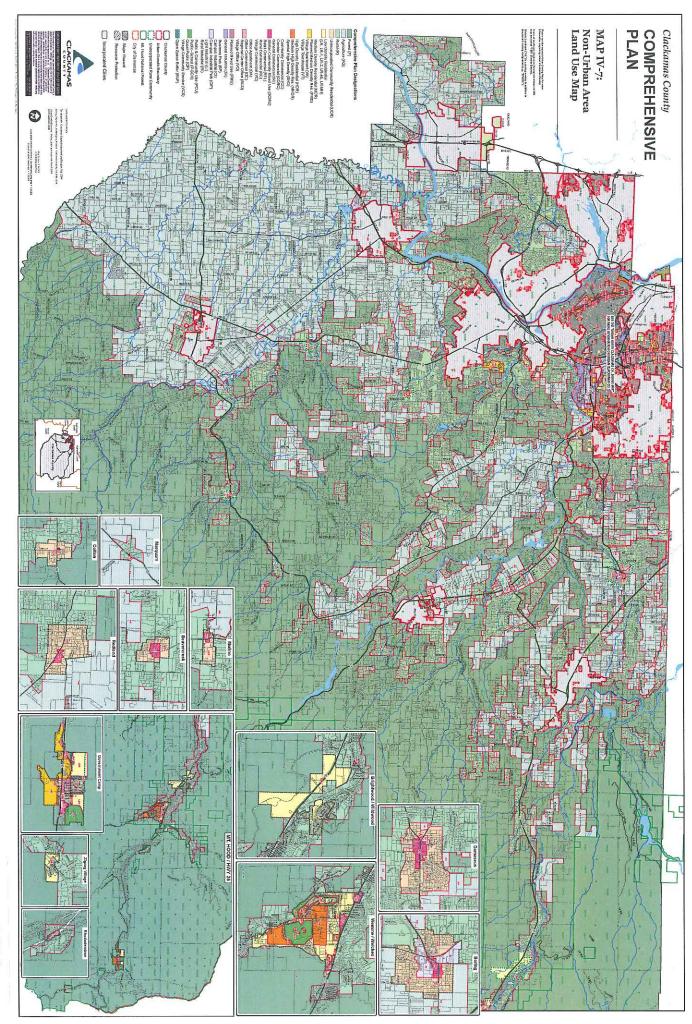
Molalla Sanitary **Clackamas County** 

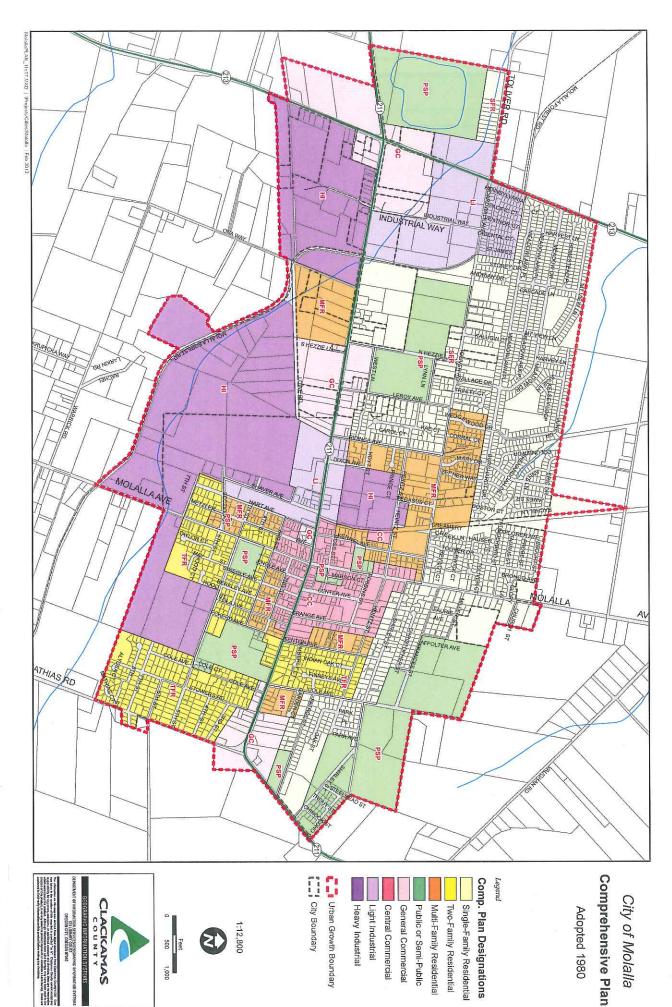
**EXHIBIT A** 

Ordinance 2014-06 Original Page 4 of 5

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.









### CITY OF MOLALLA

## **ORDINANCE No. 2014 - 07**

## AN ORDINANCE ANNEXING ISLAND TERRITORY INTO THE CITY OF MOLALLA, WITHDRAWING THE TERRITORY FROM SPECIAL DISTRICTS, AMENDING THE COMPREHESIVE PLAN AND REZONING PROPERTY.

**WHEREAS**, pursuant to ORS 222.750, the City of Molalla ("City") initiated annexation of territory surrounded by the corporate boundaries of the City (Case File No. P-6-2014);

**WHEREAS**, the City notified affected property owners and others entitled to notice under the City's code and notified the state of its intent to annex such territory;

**WHEREAS**, on June 4, 2014, the Molalla Planning Commission held a duly noticed public hearing to consider the annexation of several islands surrounded by the City's corporate boundaries;

WHEREAS, the planning commission recommended the Molalla City Council annex the islands in accordance with the City's code and state law; and

**WHEREAS**, the city council held a public hearing on July 9, 2014 and decided to annex the islands, withdraw the islands from certain districts, amend the properties' comprehensive plan designations and change the zoning on the properties from county to city zoning.

NOW, THEREFORE, the City of Molalla ordains:

**Section 1.** The real properties that are the subject of this ordinance are located in a tract of land being portion of Tract 21 and 24 of the "The Shaver Place" (Plat No. 360), located in the Northeast one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon:

Tax Lot No. 52E08BA00900

Tax Lot No. 52E08BA01000

Tax Lot No. 52E08BA01100

These properties are annexed into the City of Molalla. A meets and bounds legal description, surveyor's map, current Clackamas County Property Report and a time stamped photo of the property are attached and incorporated as Exhibit A.

**Section 2.** The existing Clackamas County comprehensive plan designation, R (Rural Residential), is changed to a City plan designation of SFR (Single Family Residential). This change is supported by findings, attached and incorporated as Exhibit B.

**Section 3.** The existing Clackamas County zoning for the affected property, RRFF5 (Rural, Residential, Farm/Forest, 5-acre Minimum Lot Size) is changed to R-1 (Single Family Residential). The properties are currently:

Tax Lot No. 52E08BA00900 Residential – In Use

Tax Lot No. 52E08BA01000 Residential – Vacant and Uninhabitable

Tax Lot No. 52E08BA01100 Undeveloped

**Section 4.** The territory is withdrawn from the following service/special districts: None noted.

**Section 5.** Lawfully established land uses occurring on or within the annexed territory may continue and will be treated as nonconforming uses after the effective date of annexation to the City.

Section 6. The Molalla City Recorder shall:

- 1. Mail a copy of this ordinance and attachments to the Oregon Department of Revenue;
- 2. Mail a copy of this ordinance to Clackamas County and all affected service districts;
- 3. Mail a copy of this ordinance to the Oregon Department of Land Conservation and Development, together with the appropriate forms required by the department; and
- 4. If the property owner of the annexed territory appeared before the planning commission or city council, mail a notice to the property owner summarizing this ordinance and describing the owner's right to appeal this decision.

Adopted this 9th day of July by the City Co nays.	uncil of the City of Molalla on a vote of ayes and
	Mayor Deborah Rogge
Attest this 9th day of July 2014	
City Recorder Sadie Cramer	

## **ZTec Engineers, Inc.**

John McL. Middleton, P.E.

Civil ♦ Structural ♦ Surveying

Chris C. Fischborn, P.L.S. 3737 SE 8<sup>th</sup> Ave. Portland, OR 97202 503-235-8795

FAX: 503-233-7889

Email: chris@ztecengineers.com

Ronald b. Sellards, P.E.

814 & 816 S. Toliver Rd. Tax Lot 1100 on Map 5S 2E 08 BA Annexation to the City of Molalla

#### Exhibit A

A Tract of land being a portion of Tracts 21 and 24 of "The Shaver Place" (Plat No. 360), a portion of that public road described in that deed recorded in Book 449, Page 292, Clackamas County Deed Records, a portion of Hezzie Lane, and a portion of S. Toliver Road, all located in the Northwest one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon. Said Tract of land being more particularly described as follows:

Beginning at the Northwesterly corner of Parcel 6 of Partition Plat No. 2000-017, said point also being the Northeasterly corner of parcel 1 that Tract of land described in that deed recorded as Document No. 75-10574, Clackamas County Deed Records; said point being on the Southerly right of way line of S. Toliver Road at a point that is North 81°45'20" West 479.55 feet from the intersection of said Southerly right of way line with the Westerly right of way line of S. Leroy Avenue (60 feet wide); thence South 08°42′55" West, along the Westerly line of said Partition Plat No. 2000-017 and along the Westerly line of Partition Plat No. 1998-101, a distance of 365.00 feet to the Southeasterly corner of said parcel 1 of said Document No. 75-10574, said point being on the Northerly right of way line of said public road described in said Book 449, Page 292 deed; thence South 08°14'40" West at right angles to said public road, a distance of 60.00 feet to a point on the Southerly right of way line of said public road; thence North 81°45'20" West, along said Southerly right of way line, a distance of 280.24 feet to a point on the Easterly right of way line of Hezzie Lane; thence North 81°17'05" West, at right angles to said Hezzie Lane, a distance of 60.00 feet to a point on the Westerly right of way line of said Hezzie Lane; thence North 08°42′55" East, along said Westerly right of way line, a distance of 424.51 feet to a point on the Southerly right of way line of said S. Toliver Road; thence North 08°14'40" East, at right angles to said S. Toliver Road, a distance of 60.00 feet to a point on the Northerly right of way line of said S. Toliver Road; thence South 81°45'20" East, along said Northerly right of way line and its Easterly extension, a distance of 339.75 feet; thence South 08°14'40" West, at right angles to said S. Toliver Road, a distance of 50.00 feet to the true point of beginning of the Tract of land herein described

Said Tract of land contains an area of 3.7047 acres (161,378 square feet), more or less.

The bearings and distances in this description are based on Clackamas County Survey No. 17274.

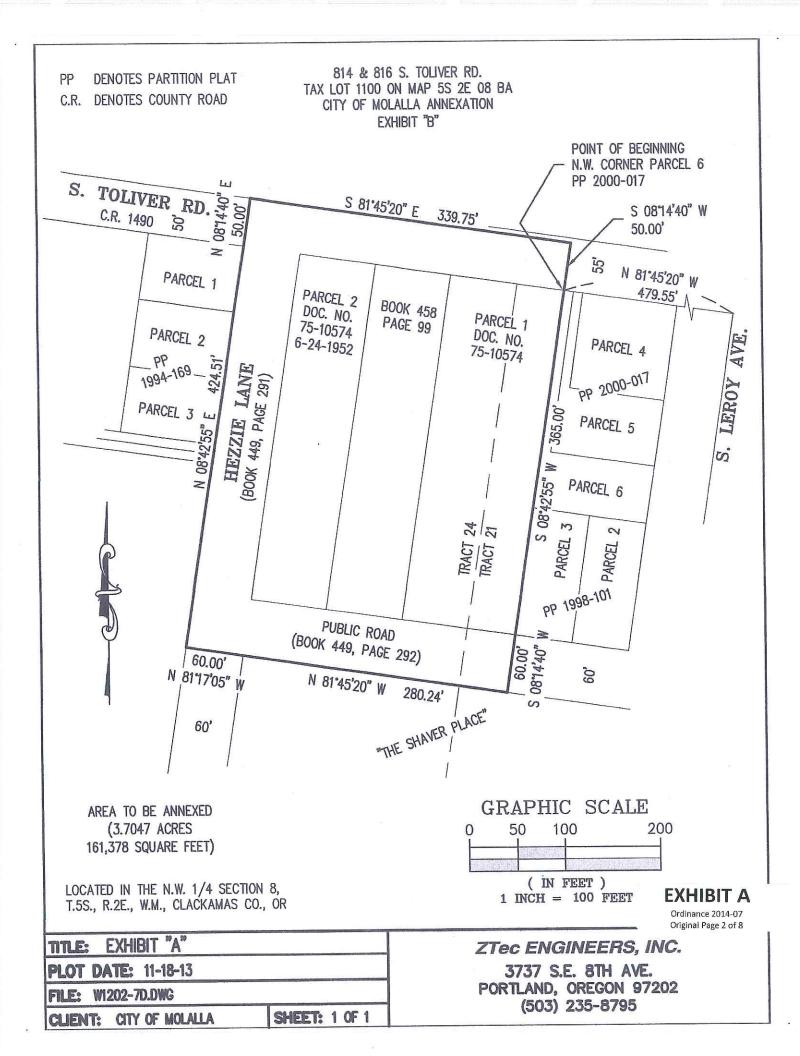
REGISTERED PROFESSIONAL LAND SURVEYOR

EXHIBIT A
Ordinance 2014-07

Ordinance 2014-07 Original Page 1 of 8

OREGON
JULY 17, 1981
CHRIS FISCHBORN

1944





## **Property Report**

SMITH ROSEMARY 814 S TOLIVER RD MOLALLA, OR 97038

Site Address:

816 S TOLIVER RD

Taxlot Number:

52E08BA00900

Land Value:

62473

Building Value:

97110

Total Value:

159583

Acreage:

Year Built:

1949

Sale Date:

Sale Amount:

0

Sale Type:

Land Class:

101

**Building Class:** 

13

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035013



Site Characteristics:

UGB:

MOLALLA

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

RRFF5

0.67

Fire

Molalla RFPD #73

**SCH 35 MOLALLA RIVER** 

Wave Broadband (Molalla)

Park School N/A

Sewer

Water

N/A

Cable

N/A

CPO

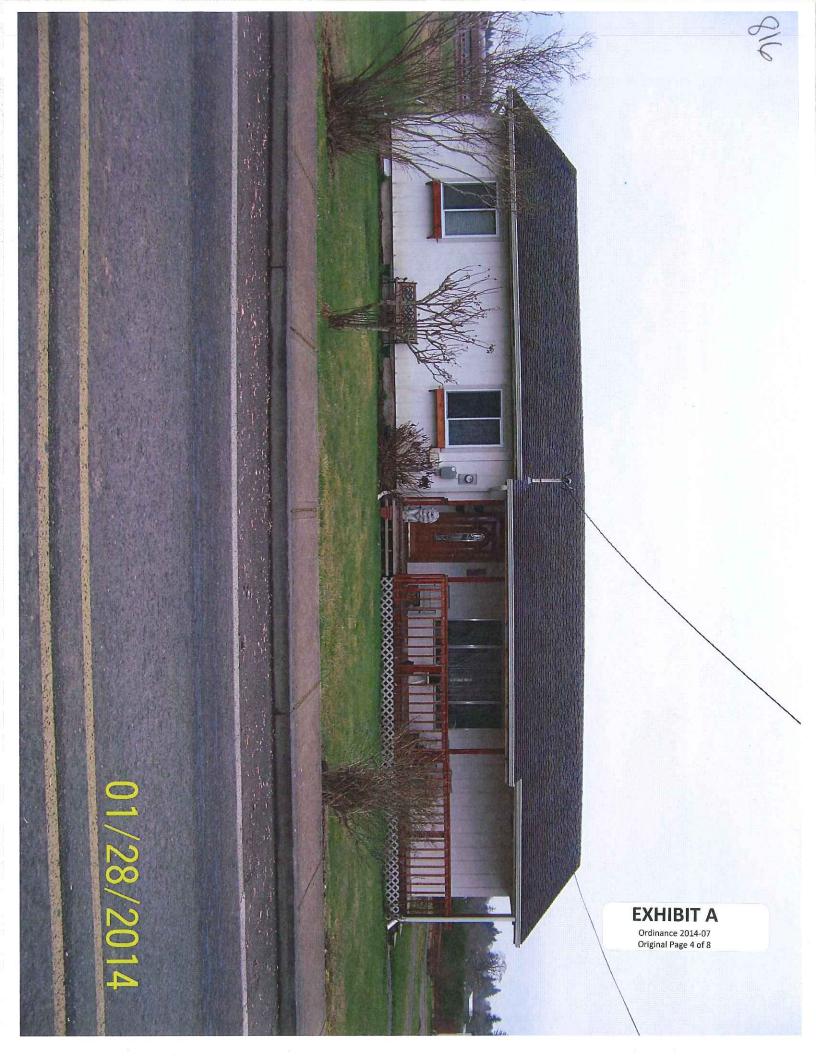
Garb/Recyc City/County **Molalla Sanitary** Clackamas County

Molalla

**EXHIBIT A** 

Ordinance 2014-07 Original Page 3 of 8

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.





## **Property Report**

SMITH MAX L & ROSEMARY 814 S TOLIVER RD MOLALLA, OR 97038

Site Address:

814 S TOLIVER RD

Taxlot Number:

52E08BA01000

Land Value:

62473

Building Value:

110670

Total Value:

173143

Acreage:

Year Built:

1952

Sale Date:

Sale Amount:

ie Amount.

Land Class:

Sale Type:

101

**Building Class:** 

13

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035013



Site Characteristics:

UGB:

MOLALLA

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

RRFF5

0.67

Fire

Molalla RFPD #73

Park

N/A

SCH 35 MOLALLA RIVER

School Sewer

N/A

Water

N/A

Cable

Wave Broadband (Molalla)

CPO Molalla

Garb/Recyc City/County Molalla Sanitary Clackamas County

**EXHIBIT A** 

Ordinance 2014-07 Original Page 5 of 8

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## **Property Report**

SMITH ROSEMARY 814 TOLIVER RD MOLALLA, OR 97038

Site Address:

**NO SITUS** 

Taxlot Number:

52E08BA01100

Land Value:

56850

**Building Value:** 

Total Value:

56850

Acreage:

Year Built:

Sale Date:

Sale Amount:

0

Sale Type:

Land Class:

100

**Building Class:** 

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035013

Molalla RFPD #73

Fire Park

N/A

**SCH 35 MOLALLA RIVER** School

Sewer

N/A

Water Cable

N/A

CPO

Wave Broadband (Molalla) Molalla

Garb/Recyc

City/County

Molalla Sanitary Clackamas County



Site Characteristics:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

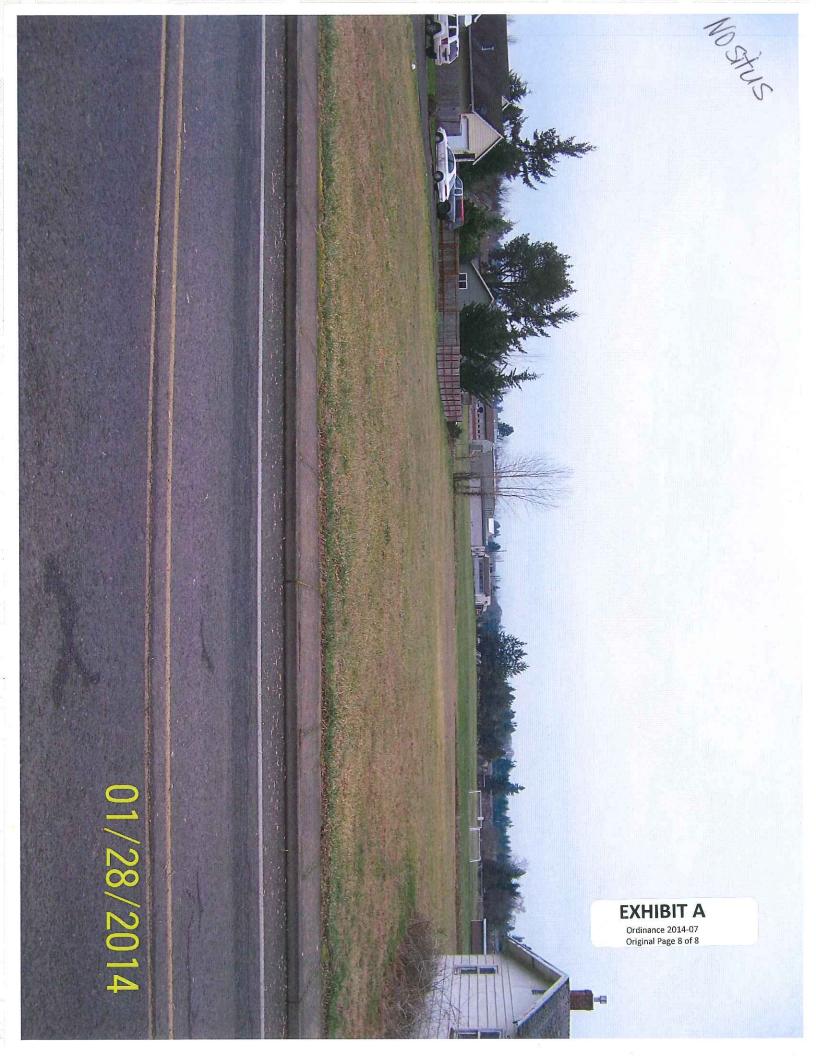
RRFF5

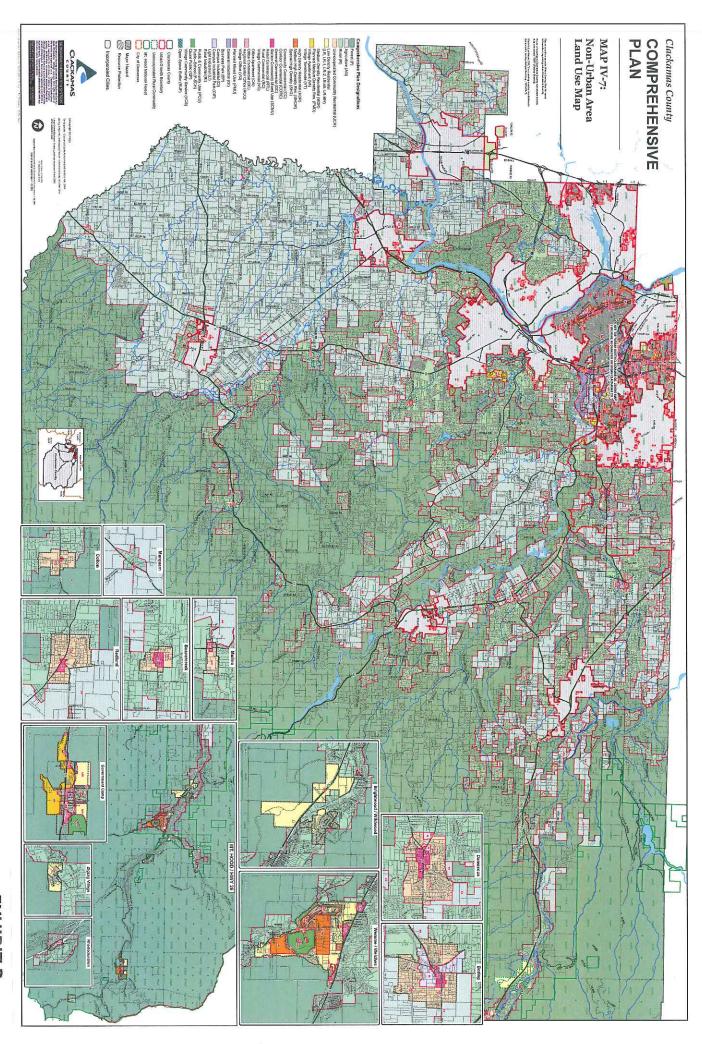
1.01

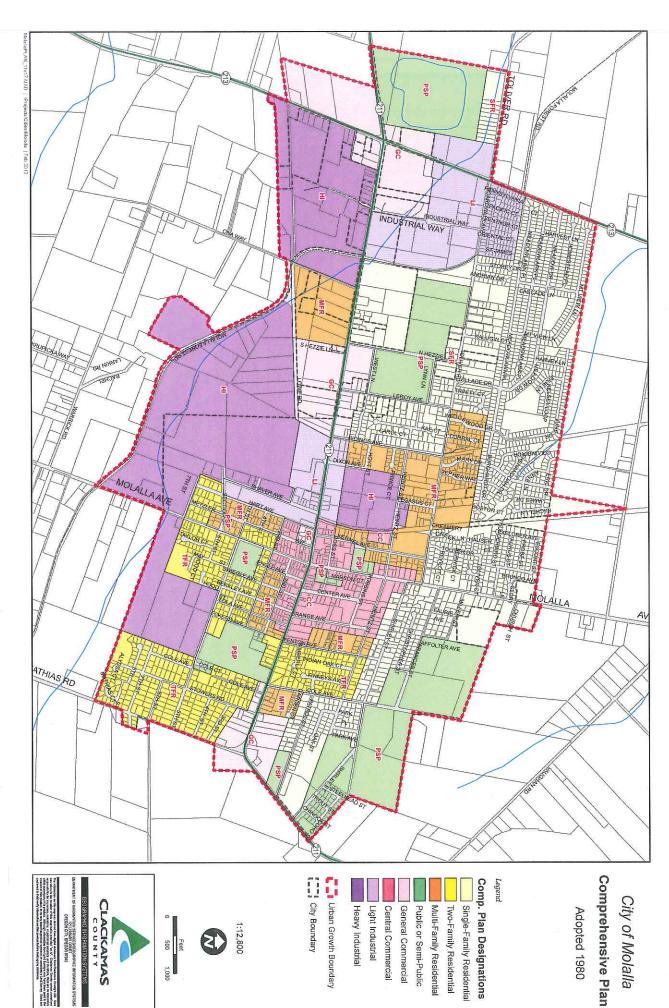
EXHIBIT A

Ordinance 2014-07 Original Page 7 of 8

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.









#### CITY OF MOLALLA

## **ORDINANCE No. 2014 - 08**

# AN ORDINANCE ANNEXING ISLAND TERRITORY INTO THE CITY OF MOLALLA, WITHDRAWING THE TERRITORY FROM SPECIAL DISTRICTS, AMENDING THE COMPREHESIVE PLAN AND REZONING PROPERTY.

WHEREAS, pursuant to ORS 222.750, the City of Molalla ("City") initiated annexation of territory surrounded by the corporate boundaries of the City (Case File No. P-6-2014);

**WHEREAS**, the City notified affected property owners and others entitled to notice under the City's code and notified the state of its intent to annex such territory;

WHEREAS, on June 4, 2014, the Molalla Planning Commission held a duly noticed public hearing to consider the annexation of several islands surrounded by the City's corporate boundaries;

WHEREAS, the planning commission recommended the Molalla City Council annex the islands in accordance with the City's code and state law; and

**WHEREAS**, the city council held a public hearing on July 9, 2014 and decided to annex the islands, withdraw the islands from certain districts, amend the properties' comprehensive plan designations and change the zoning on the properties from county to city zoning.

**NOW, THEREFORE,** the City of Molalla ordains:

**Section 1.** The real property that is the subject of this ordinance is located in a tract of land being portion of Tract 7 of the Plat of "Toliver Acres", located in the Northeast one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon:

Tax Lot No. 52E088BB00400

This property is annexed into the City of Molalla. A meets and bounds legal description, surveyor's map, current Clackamas County Property Report and a time stamped photo of the property are attached and incorporated as Exhibit A.

**Section 2.** The existing Clackamas County comprehensive plan designation, R (Rural Residential), is changed to a City plan designation of SFR (Single Family Residential). This change is supported by findings, attached and incorporated as Exhibit B.

**Section 3.** The existing Clackamas County zoning for the affected property, RRFF5 (Rural, Residential, Farm/Forest, 5-acre Minimum Lot Size) is changed to R-1 (Single Family Residential). The property is currently in use as a residence.

**Section 4.** The territory is withdrawn from the following service/special districts: None noted.

**Section 5.** Lawfully established land uses occurring on or within the annexed territory may continue and will be treated as nonconforming uses after the effective date of annexation to the City.

**Section 6.** The Molalla City Recorder shall:

- 1. Mail a copy of this ordinance and attachments to the Oregon Department of Revenue;
- 2. Mail a copy of this ordinance to Clackamas County and all affected service districts;
- 3. Mail a copy of this ordinance to the Oregon Department of Land Conservation and Development, together with the appropriate forms required by the department; and
- 4. If the property owner of the annexed territory appeared before the planning commission or city council, mail a notice to the property owner summarizing this ordinance and describing the owner's right to appeal this decision.

Adopted this 9th day of July by the City Co	ouncil of the City of Molalla on a vote of	ayes and
nays.		
	Mayor Deborah Rogge	
Attest this 9th day of July 2014		
City Recorder Sadie Cramer		

## **ZTec Engineers, Inc.**

John McL. Middleton, P.E.

Civil ♦ Structural ♦ Surveying

Chris C. Fischborn, P.L.S. 3737 SE 8<sup>th</sup> Ave. Portland, OR 97202 503-235-8795

FAX: 503-233-7889

Email: chris@ztecengineers.com

Ronald b. Sellards, P.E.

823 S. Toliver Rd. Annexation to the City of Molalla

#### Exhibit A

A Tract of land being all of that Tract of land described in that deed recorded as Document No. 97-094519, Clackamas County Deed Records, and being a portion of Tract 7 of the plat of "Toliver Acres", located in the Northwest one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon. Said Tract of land being more particularly described as follows:

Beginning at the Southwesterly corner of Parcel 3 of Partition Plat No. 1998-115, said point being the Southeasterly corner of said Document No. 97-094519, said point also being on the Northerly right of way line of S. Toliver Road; thence South 07°32′33″ West, at right angles to said S. Toliver Road, a distance of 50.00 feet to a point on the Southerly right of way line of said S. Toliver Road; thence North 82°27′27″ West, along said Southerly right of way line, a distance of 132.22 feet to a point; thence North 07°32′33″ East, at right angle to said road, a distance of 50.00 feet to a point on said Northerly right of way line of said S. Toliver Road, said point also being the Southwesterly corner of said Document No. 97-094519 Tract; thence North 07°50′55″ East, along the West line of said Document No. 97-094519 Tract, a distance of 633.64 feet to the Northwesterly corner thereof; thence South 82°27′16″ East, along the Northerly line of said Document No. 97-094519 Tract, a distance of 132.20 feet to the Northeasterly corner thereof, said point also being the Northwesterly corner of said Partition Plat No. 1998-115; thence South 07°50′49″ West, along the Westerly line of said Partition Plat, a distance of 633.63 feet to the true point of beginning of the Tract of land herein described.

Said Tract of land contains an area of 2.0749 acres (90,382 square feet), more or less.

The bearings and distances in this description are based on Clackamas County Partition Plat No. 1998-115.

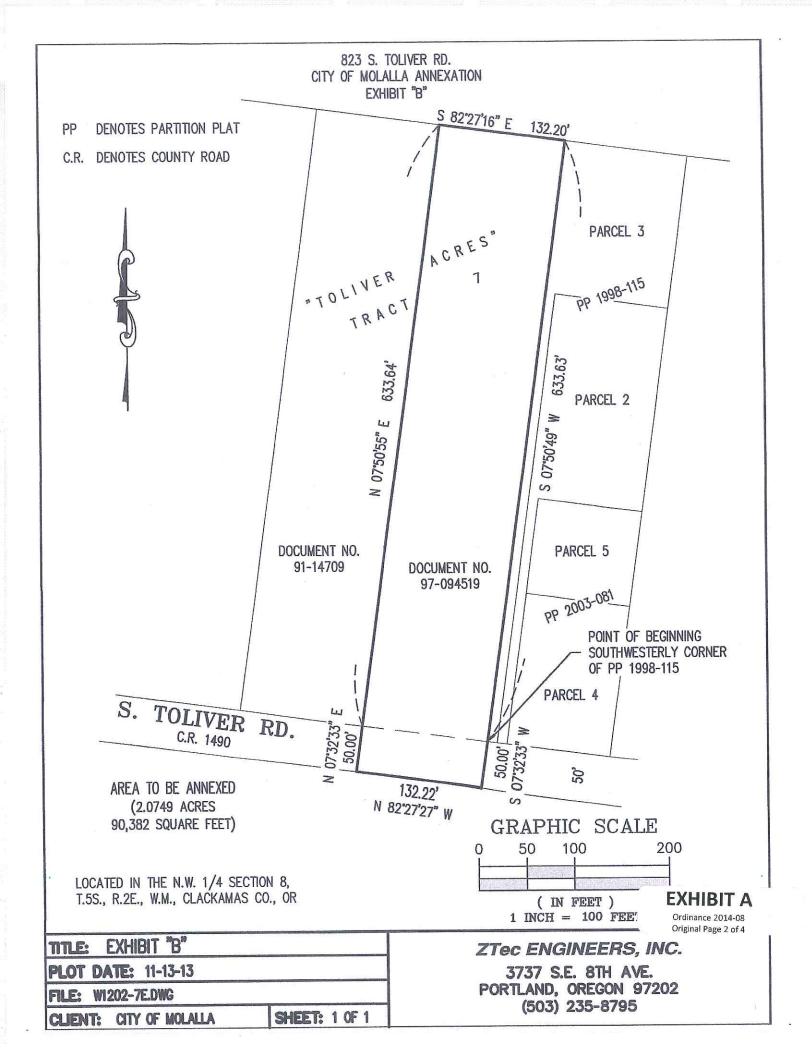
REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 17, 1981
CHRIS FISCHBORN

1944

**EXHIBIT A** 

Ordinance 2014-08 Original Page 1 of 4





## **Property Report**

**BAURER FRED C & RUTHELLA M** 823 S TOLIVER RD MOLALLA, OR 97038

Site Address:

823 S TOLIVER RD

Taxlot Number:

52E08BB00400

Land Value:

81415

Building Value:

117260

Total Value:

198675

Acreage:

Year Built:

1954

Sale Date:

12/01/1997

Sale Amount:

160000

Sale Type:

Land Class:

101

**Building Class:** 

14

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035013

Site Characteristics:

Location Map:

PAWERS LIN

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

TOLIVER RD

Zone

HEZZIELN

MEADOWLAWN PL

Overlays:

Acreage:

RRFF5

1.92

Fire

Molalla RFPD #73

Park School

N/A **SCH 35 MOLALLA RIVER** 

N/A

Sewer Water

Cable

N/A

CPO

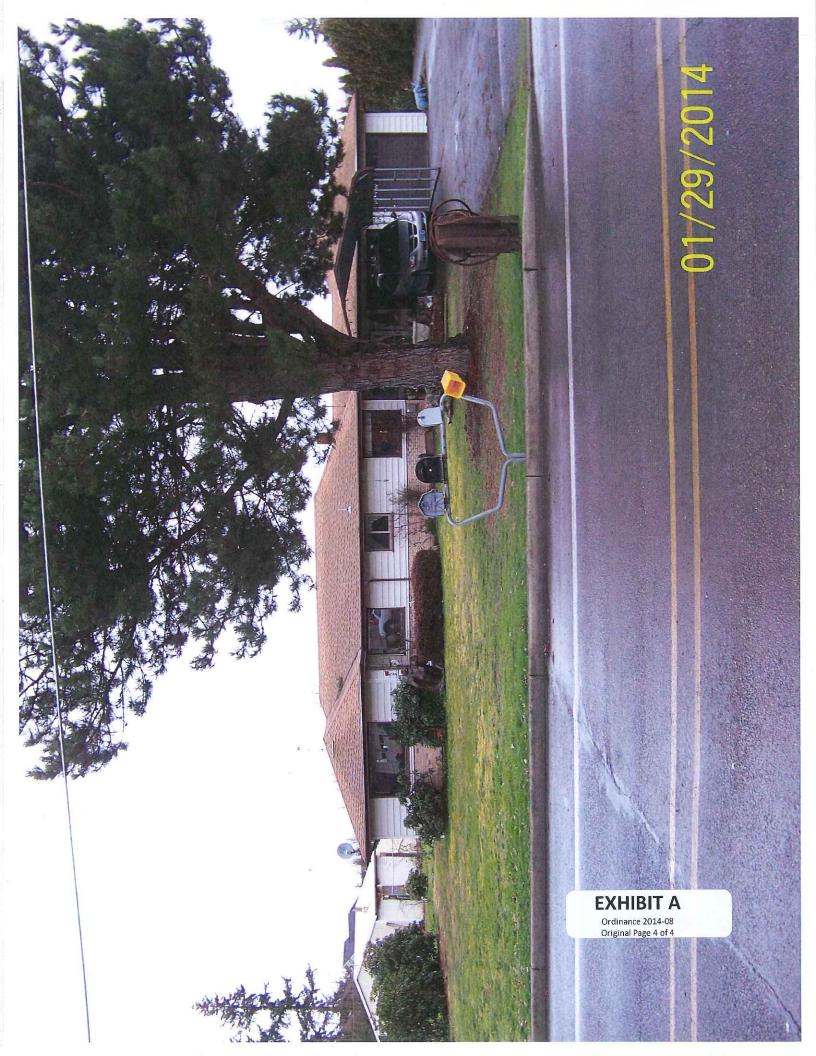
Wave Broadband (Molalla) Molalla

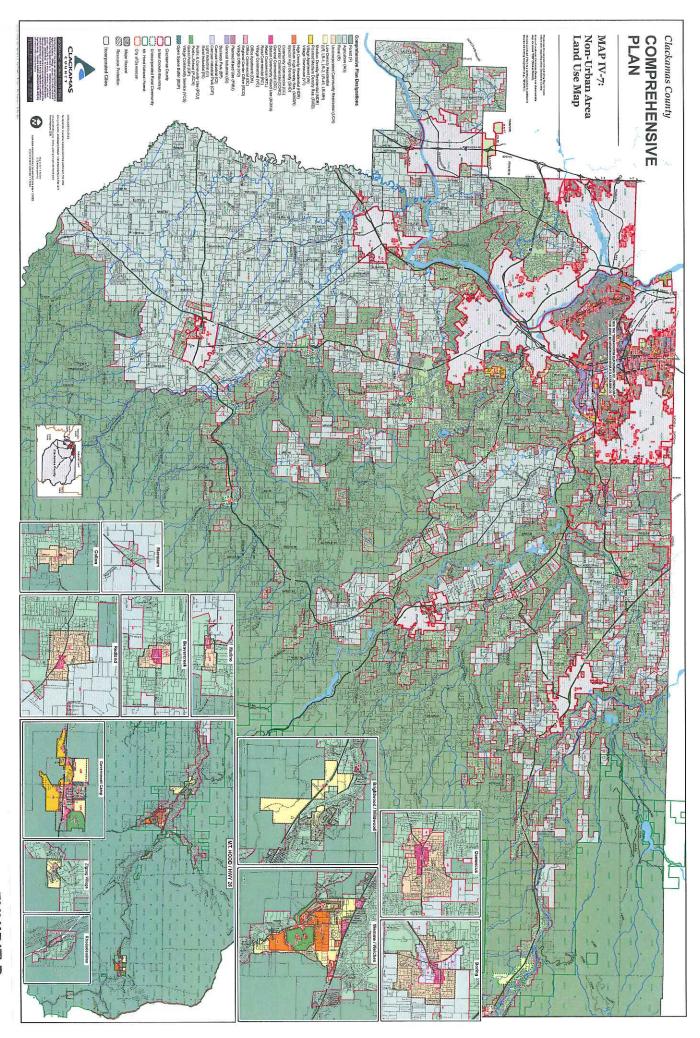
Garb/Recyc City/County Molalla Sanitary **Clackamas County** 

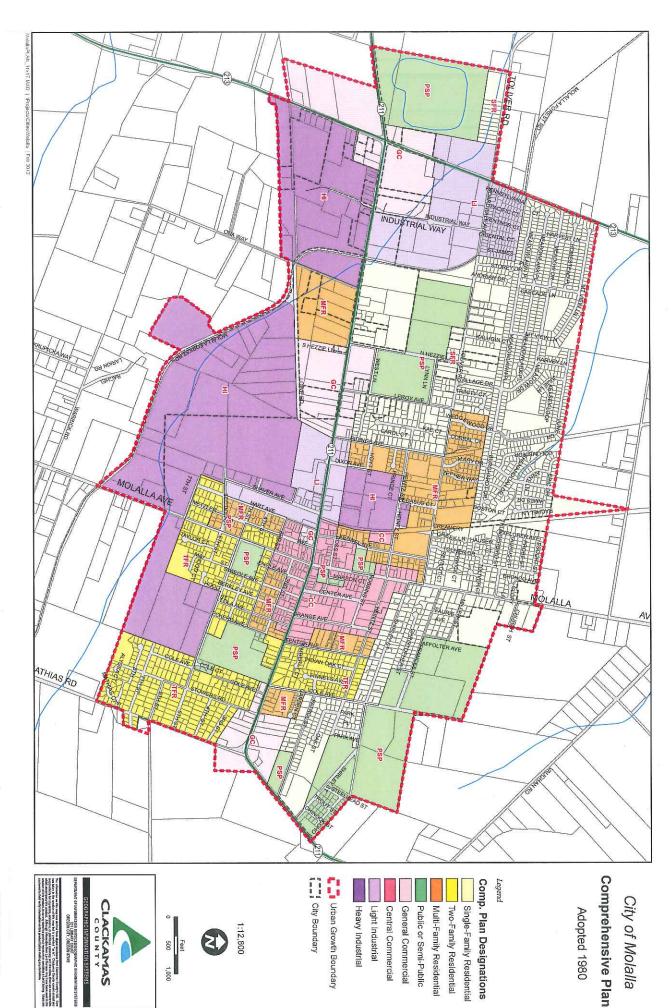
**EXHIBIT A** 

Ordinance 2014-08 Original Page 3 of 4

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.









#### CITY OF MOLALLA

#### **ORDINANCE No. 2014 - 09**

# AN ORDINANCE ANNEXING ISLAND TERRITORY INTO THE CITY OF MOLALLA, WITHDRAWING THE TERRITORY FROM SPECIAL DISTRICTS, AMENDING THE COMPREHESIVE PLAN AND REZONING PROPERTY.

WHEREAS, pursuant to ORS 222.750, the City of Molalla ("City") initiated annexation of territory surrounded by the corporate boundaries of the City (Case File No. P-6-2014);

WHEREAS, the City notified affected property owners and others entitled to notice under the City's code and notified the state of its intent to annex such territory;

WHEREAS, on June 4, 2014, the Molalla Planning Commission held a duly noticed public hearing to consider the annexation of several islands surrounded by the City's corporate boundaries;

WHEREAS, the planning commission recommended the Molalla City Council annex the islands in accordance with the City's code and state law; and

WHEREAS, the city council held a public hearing on July 9, 2014 and decided to annex the islands, withdraw the islands from certain districts, amend the properties' comprehensive plan designations and change the zoning on the properties from county to city zoning.

**NOW, THEREFORE,** the City of Molalla ordains:

**Section 1.** The real properties that are the subject of this ordinance are located in a tract of land being portion of Tract 25 of the "The Shaver Place", located in the Northeast one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon:

Tax Lot No. 52E08BB02100

Tax Lot No. 52E08BB02200

Tax Lot No. 52E08BB02300

These properties are annexed into the City of Molalla. A meets and bounds legal description, surveyor's map, current Clackamas County Property Report and a time stamped photo of the property are attached and incorporated as Exhibit A.

**Section 2.** The existing Clackamas County comprehensive plan designation, R (Rural Residential), is changed to a City plan designation of SFR (Single Family Residential). This change is supported by findings, attached and incorporated as Exhibit B.

**Section 3.** The existing Clackamas County zoning for the affected property, RRFF5 (Rural, Residential, Farm/Forest, 5-acre Minimum Lot Size) is changed to R-1 (Single Family Residential). The properties are currently:

Tax Lot No. 52E08BB02100 Residential – In Use Tax Lot No. 52E08BB02200 Undeveloped

Tax Lot No. 52E08BB02300 Residential – In Use

**Section 4.** The territory is withdrawn from the following service/special districts: None noted.

**Section 5.** Lawfully established land uses occurring on or within the annexed territory may continue and will be treated as nonconforming uses after the effective date of annexation to the City.

Section 6. The Molalla City Recorder shall:

- 1. Mail a copy of this ordinance and attachments to the Oregon Department of Revenue;
- 2. Mail a copy of this ordinance to Clackamas County and all affected service districts;
- 3. Mail a copy of this ordinance to the Oregon Department of Land Conservation and Development, together with the appropriate forms required by the department; and
- 4. If the property owner of the annexed territory appeared before the planning commission or city council, mail a notice to the property owner summarizing this ordinance and describing the owner's right to appeal this decision.

Adopted this 9th day of July by the City Co	ouncil of the City of Molalla on a vote of ayes and
	Mayor Deborah Rogge
Attest this 9th day of July 2014	
City Recorder Sadie Cramer	

#### **ZTec Engineers, Inc.**

John McL. Middleton, P.E.

Civil ♦ Structural ♦ Surveying

Chris C. Fischborn, P.L.S. 3737 SE 8<sup>th</sup> Ave. Portland, OR 97202 503-235-8795

FAX: 503-233-7889

Email: chris@ztecengineers.com

Ronald b. Sellards, P.E.

904 & 906 S. Toliver Rd. Annexation to the City of Molalla

Exhibit A

A Tract of land being a portion of Tract 25 of the plat of "The Shaver Place", located in the Northwest one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon. Said Tract of land being more particularly described as follows:

Beginning at the intersection of the Westerly line of said Lot 25 with the Southerly right of way line of S. Toliver Road; thence North 08°14′40″ East, at right angles to said S. Toliver Road, a distance of 50.00 feet to a point on the Northerly right of way line of said S. Toliver Road; thence South 81°45′20″ East, along said Northerly right of way line, a distance of 230.00 feet to a point; thence South 08°14′40″ West, at right angles to said S. Toliver Road, a distance of 50.00 feet to a point on said Southerly right of way line, said point being the Northeasterly corner of that Tract of land described as Parcel 1 of that deed recorded as Document No. 2012-054822, Clackamas County Deed Records; thence South 08°42′21″ West, parallel with the Westerly line of said Lot 25 of said Plat of "The Shaver Place" and along the Easterly line of said Document No. 2012-054822 Tract, a distance of 230.00 feet to the Southeasterly corner thereof; thence North 81°45′20″ West parallel with said S. Toliver Road, and along the Southerly line of Parcels 1 and 2 of said Document No. 2012-054822 and along the Southerly line of that Tract of land described in that deed recorded as Document No. 2012-009177, Clackamas County Deed Records, a distance of 230.00 feet to a point on said Westerly line of said Lot 25; thence North 08°42′21″ East, along said Westerly line, a distance of 230.00 feet to the true point of beginning of the Tract of land herein described

Said Tract of land contains an area of 1.4784 acres (64,398 square feet), more or less.

The bearings and distances in this description are based on Clackamas County Survey No. 17274.

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON JULY 17, 1981 CHRIS FISCHBORN

1944

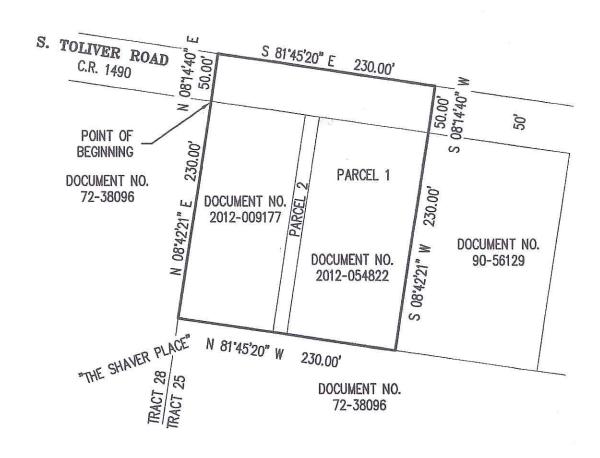
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**EXHIBIT A** 

Ordinance 2014-09 Original Page 1 of 8

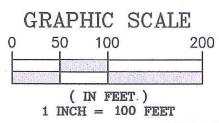


904 & 906 S. TOLIVER RD.
CITY OF MOLALLA ANNEXATION
EXHIBIT "B"



AREA TO BE ANNEXED (1.4784 ACRES 64,398 SQUARE FEET)

LOCATED IN THE N.W. 1/4 SECTION 8, T.5S., R.2E., W.M., CLACKAMAS CO., OR



#### **EXHIBIT A**

Ordinance 2014-09 Original Page 2 of 8

TITLE: EXHIBIT "B"
PLOT DATE: 11-18-13

FILE: W1202-7F.DWG

CLIENT: CITY OF MOLALLA

SHEET: 1 OF 1

ZTec ENGINEERS, INC.

3737 S.E. 8TH AVE. PORTLAND, OREGON 97202 (503) 235-8795



## **Property Report**

COLBRY KYRAN L 12813 ARNDT RD NE AURORA, OR 97002

Site Address:

906 S TOLIVER RD

Taxlot Number:

52E08BB02100

Land Value:

59006

**Building Value:** 

122440

Total Value:

181446

Acreage:

Year Built:

1967

Sale Date:

02/10/2012

Sale Amount:

116000

Sale Type:

S

Land Class:

101

**Building Class:** 

13

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035013

Fire

Molalla RFPD #73

Park

N/A

School Sewer SCH 35 MOLALLA RIVER

Water

N/A N/A

Cable

Wave Broadband (Molalla)

CPO Garb/Recyc Molalla Molalla Sanitary

City/County

Clackamas County



Site Characteristics:

UGB:

MOLALLA

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

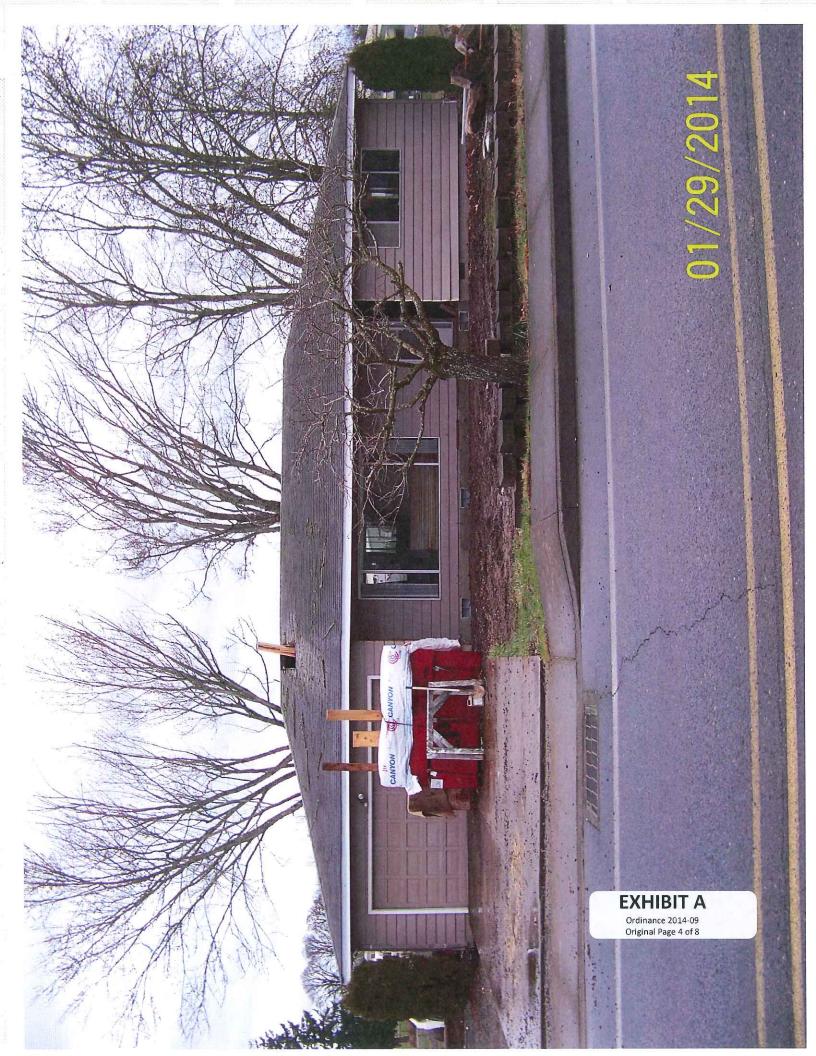
RRFF5

0.55

Ordinance 2014-09

Original Page 3 of 8

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#### **Property Report**

NORVO SHANE J & KIMBERLY G 904 S TOLIVER RD MOLALLA, OR 97038

Site Address:

**NO SITUS** 

Taxlot Number:

52E08BB02200

Land Value:

2667

Building Value:

460

Total Value:

3127

Acreage:

Year Built:

Sale Date:

08/22/2012

Sale Amount:

241000

Sale Type:

X

Land Class:

101

**Building Class:** 

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035013

Fire Park Molalla RFPD #73

School

N/A **SCH 35 MOLALLA RIVER** 

Sewer N/A

Water

N/A

Cable

Wave Broadband (Molalla) Molalla

CPO

Garb/Recyc City/County Molalla Sanitary Clackamas County Location Map:



Site Characteristics:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

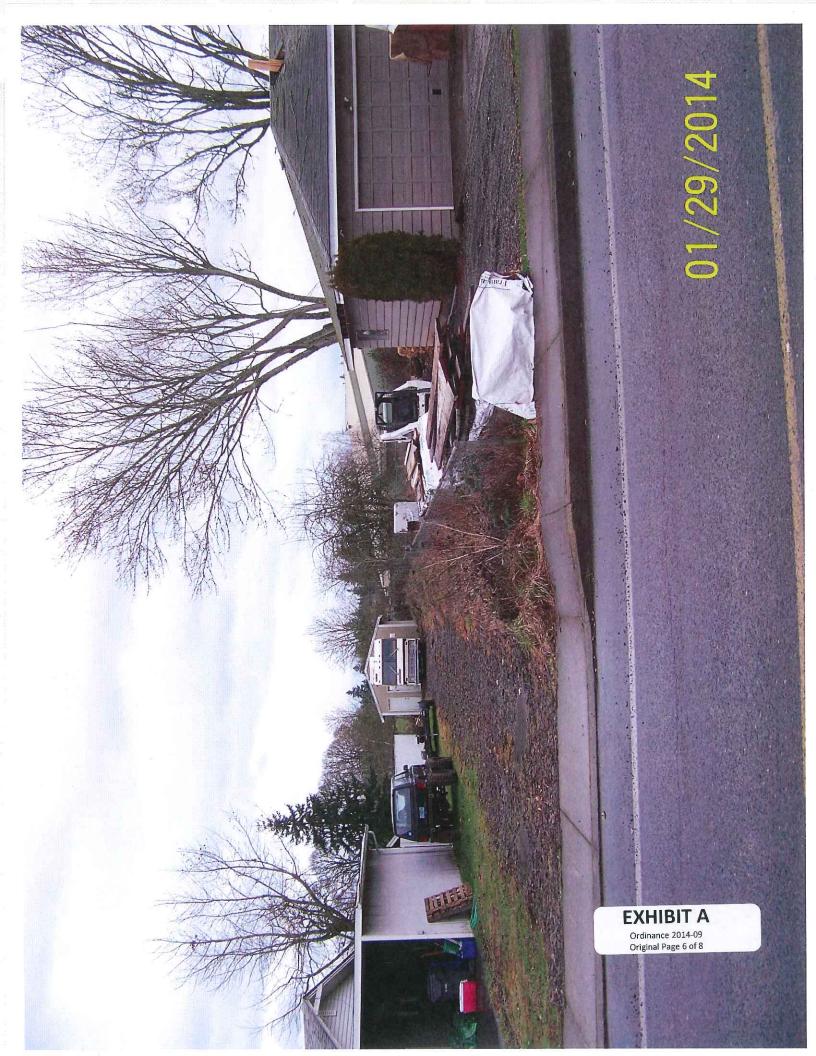
RRFF5

0.08

**EXHIBIT A** 

Ordinance 2014-09 Original Page 5 of 8

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.





## **Property Report**

NORVO SHANE J & KIMBERLY G 904 S TOLIVER RD MOLALLA, OR 97038

Site Address:

904 S TOLIVER RD

Taxlot Number:

52E08BB02300

Land Value:

59806

Building Value:

200270

Total Value:

260076

Acreage:

Year Built:

1967

Sale Date:

08/22/2012

Sale Amount:

241000

Sale Type:

Land Class:

101

**Building Class:** 

14

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035013

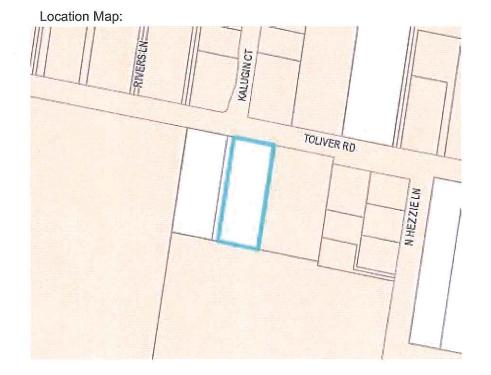
Site Characteristics:

UGB:

**MOLALLA** 

Flood Zone:

Not Available



Zoning Designation(s):

Zone

Overlays:

Acreage:

RRFF5

0.55

Fire

Molalla RFPD #73

Park

N/A

School

**SCH 35 MOLALLA RIVER** 

Sewer

N/A

Water Cable

N/A

CPO

Wave Broadband (Molalla)

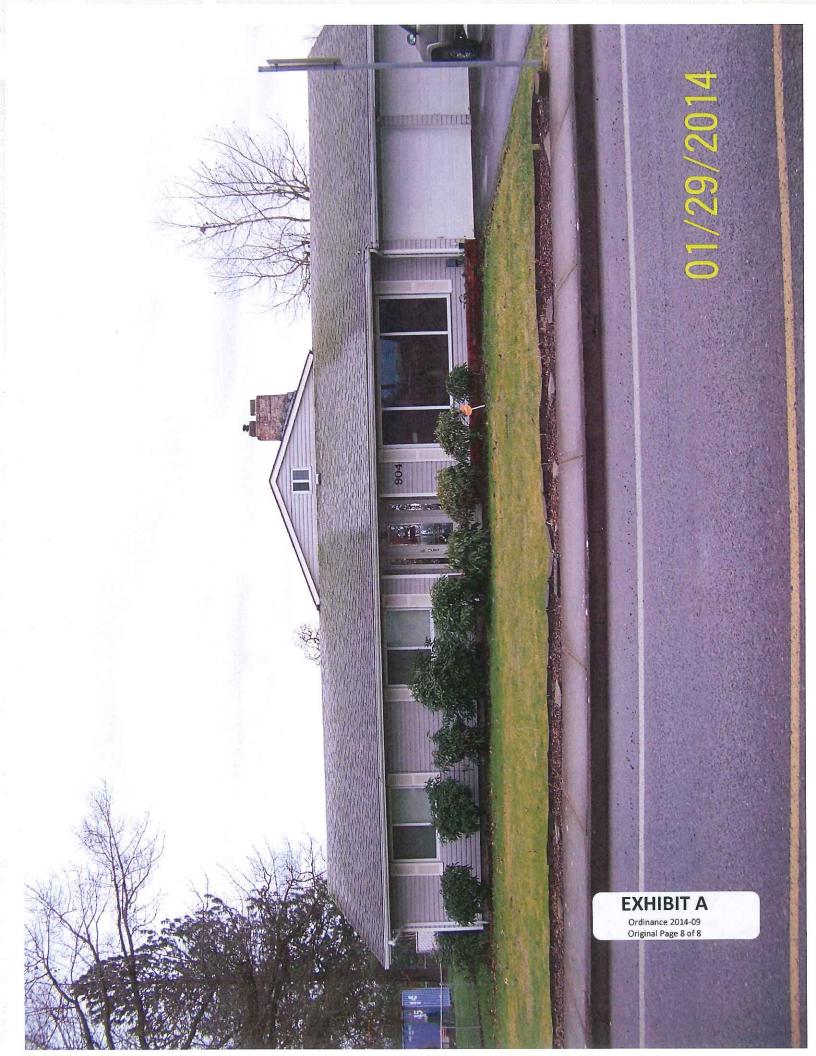
Molalla

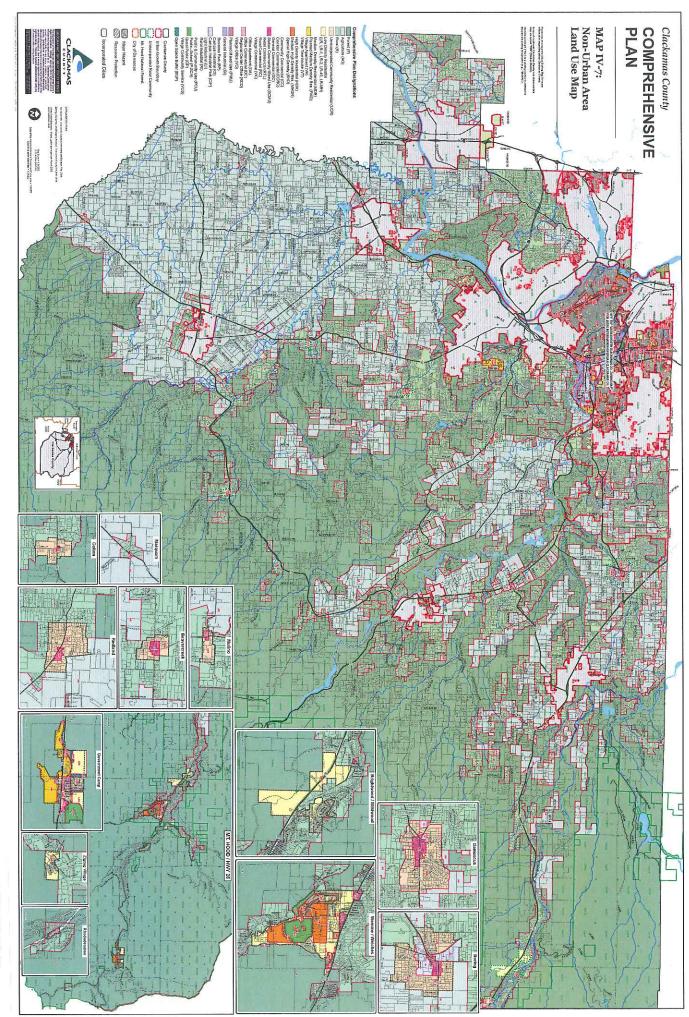
Garb/Recyc City/County **Molalla Sanitary** Clackamas County

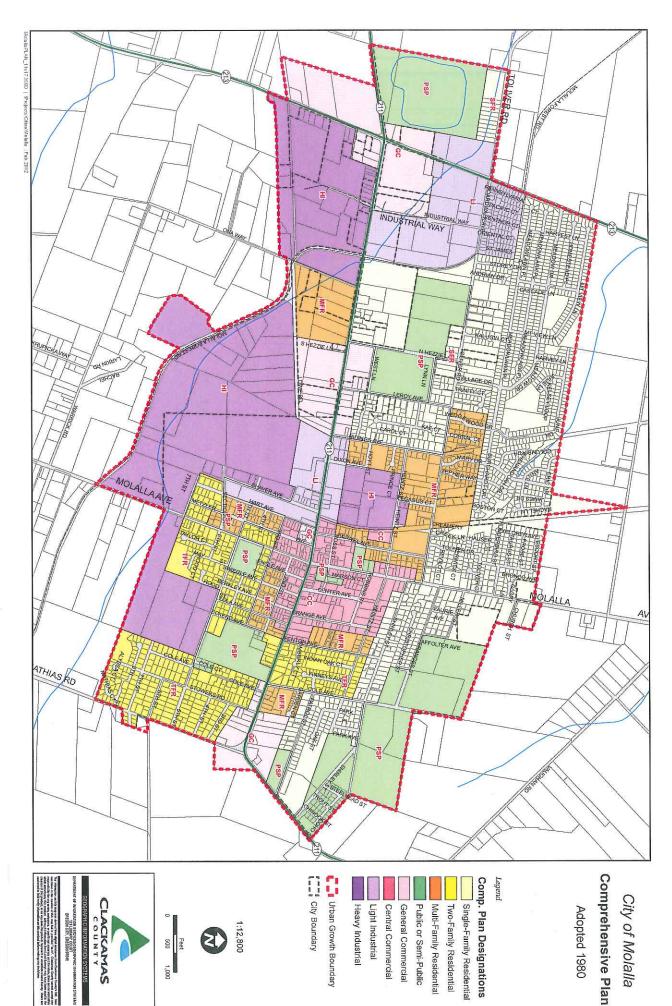
**EXHIBIT A** 

Ordinance 2014-09 Original Page 7 of 8

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#### CITY OF MOLALLA

#### **ORDINANCE No. 2014 - 10**

## AN ORDINANCE ANNEXING ISLAND TERRITORY INTO THE CITY OF MOLALLA, WITHDRAWING THE TERRITORY FROM SPECIAL DISTRICTS, AMENDING THE COMPREHESIVE PLAN AND REZONING PROPERTY.

**WHEREAS**, pursuant to ORS 222.750, the City of Molalla ("City") initiated annexation of territory surrounded by the corporate boundaries of the City (Case File No. P-6-2014);

WHEREAS, the City notified affected property owners and others entitled to notice under the City's code and notified the state of its intent to annex such territory;

WHEREAS, on June 4, 2014, the Molalla Planning Commission held a duly noticed public hearing to consider the annexation of several islands surrounded by the City's corporate boundaries;

WHEREAS, the planning commission recommended the Molalla City Council annex the islands in accordance with the City's code and state law; and

**WHEREAS**, the city council held a public hearing on July 9, 2014 and decided to annex the islands, withdraw the islands from certain districts, amend the properties' comprehensive plan designations and change the zoning on the properties from county to city zoning.

**NOW, THEREFORE,** the City of Molalla ordains:

**Section 1.** The real properties that are the subject of this ordinance are located in a tract of land being all of Parcels 2 and 3 of Partition Plat No. 2000-007, all of that tract of land described in that deed recorded as Document No. 91-46033, Clackamas County Deed Records, all of that Tract of land described in that deed recorded as Document No. 91-46034, Clackamas County Deed Records, a portion of State Highway 213, and a portion of State Highway 211, all located in the Southeast one-quarter of Section 7, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon:

Tax Lot No. 52E07D 02000

Tax Lot No. 52E07D 01900

Tax Lot No. 52E07D 01800

Tax Lot No. 52E07D 02401

Tax Lot No. 52E07D 02404

Tax Lot No. 52E07D 02400

These properties are annexed into the City of Molalla. A meets and bounds legal description, surveyor's map, current Clackamas County Property Report and a time stamped photo of the property are attached and incorporated as Exhibit A.

**Section 2.** The existing Clackamas County comprehensive plan designation, RI (Rural Industrial), is changed to a City plan designation of GC (General Commercial) except for Tax Lot No. 52E07D 02400 which will have the City plan designation of HI (Heavy Industrial). This change is supported by findings, attached and incorporated as Exhibit B.

**Section 3.** The existing Clackamas County zoning for the affected property, RRFF5 (Rural, Residential, Farm/Forest, 5-acre Minimum Lot Size) is changed to C-2 (General Commercial), except for Tax Lot No. 52E07D 02400 will be changed to M-2 (Heavy Industrial). The properties are currently:

Tax Lot No. 52E07D 02000 Commercial – In Use
Tax Lot No. 52E07D 01900 Undeveloped
Tax Lot No. 52E07D 01800 Residential – In Use
Tax Lot No. 52E07D 02401 Residential – In Use
Tax Lot No. 52E07D 02404 Undeveloped
Tax Lot No. 52E07D 02400 Residential – In Use

**Section 4.** The territory is withdrawn from the following service/special districts: None noted.

**Section 5.** Lawfully established land uses occurring on or within the annexed territory may continue and will be treated as nonconforming uses after the effective date of annexation to the City.

**Section 6.** The Molalla City Recorder shall:

- 1. Mail a copy of this ordinance and attachments to the Oregon Department of Revenue;
- 2. Mail a copy of this ordinance to Clackamas County and all affected service districts;
- 3. Mail a copy of this ordinance to the Oregon Department of Land Conservation and Development, together with the appropriate forms required by the department; and
- 4. If the property owner of the annexed territory appeared before the planning commission or city council, mail a notice to the property owner summarizing this ordinance and describing the owner's right to appeal this decision.

Adopted this 9th day of July by the City Cour nays.	ncil of the City of Molalla on a vote of ayes and
	Mayor Deborah Rogge
Attest this 9th day of July 2014	
City Recorder Sadie Cramer	

#### **ZTec Engineers, Inc.**

John McL. Middleton, P.E.

Civil ♦ Structural ♦ Surveying

Chris C. Fischborn, P.L.S. 3737 SE 8<sup>th</sup> Ave. Portland, OR 97202 503-235-8795

FAX: 503-233-7889

Email: chris@ztecengineers.com

Ronald b. Sellards, P.E.

12700, 12704, 12754, 12757, 12763, 12770 State Highway 211 and Tax Lot 1900 on Map 52E 07D Annexation to the City of Molalla

#### Exhibit A

A Tract of land being all of Parcels 2 and 3 of Partition Plat No. 2000-007, all of that Tract of land described in that deed recorded as Document No. 2006-106274, Clackamas County Deed Records, all of that Tract of land described in that deed recorded as Document No. 91-46033, Clackamas County Deed Records, all of that Tract of land described in that deed recorded as Document No. 91-46034, Clackamas County Deed Records, a portion of State Highway 213, and a portion of State Highway 211, all located in the Southeast one-quarter of Section 7, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon. Said Tract of land being more particularly described as follows:

Beginning at a 5/8 inch iron rod with a yellow plastic cap stamped, "LOVE PLS 747" found at the most Southerly corner of said Parcel 3 of said Partition Plat No. 2000-007; thence North 81°29'00" West, along the Southerly line of said Parcel 3, a distance of 253.88 feet to the most Easterly corner of said Parcel 3, thence North 19°55'00" East, along the Easterly line of said Parcel 3, a distance of 179.92 feet to the most Easterly Northwest corner of said Parcel 3; thence South 81°29'00" East, along the Northerly line of said Parcel 3, a distance of 112.88 feet to an angle point in said Northerly line; thence North 19°55'00" East, along the boundary line of said Parcel 3, and along the Westerly line of said Parcel 2 of said Partition Plat No. 2000-007, a distance of 213.31 feet to the Northwesterly corner of said Parcel 2, said point also being the Northeasterly corner of Parcel 1 of said Partition Plat No. 2000-007; thence North 81°29'00" West, along the Northerly line of said Parcel 1, a distance of 112.98 feet to the Southwesterly corner of that Tract of land described in that deed recorded as Document No. 91-46034, Clackamas County Deed Records; thence North 19°53'30" East, along the Westerly line of said Document No. 91-46034 Tract, a distance of 117.57 feet to the Southeasterly corner of that Tract of land described in that deed recorded as Document No. 2006-106274, Clackamas County Deed Records; thence North 81°32'20" West, along the Southerly line of said Document No. 2006-106274 Tract, a distance of 256.70 feet to a point on the Easterly right of way line of State Highway 213; thence North 70°05'00" West, at right angle to said State Highway 213, a distance of 60.00 feet to a point on the Westerly right of way line of said State Highway

> REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 17, 1981
CHRIS FISCHBORN
1944

**EXHIBIT A** 

Ordinance 2014-10 Original Page 1 of 15 213; thence North 19°55′00″ East, along said Westerly right of way line, a distance of 222.52 feet to a point on the Westerly extension of the Northerly right of way line of State Highway 211; thence South 81°29′09″ East, along said Northerly right of way line, a distance of 559.80 feet to a point; thence South 08°30′51″ West, at right angles to said State Highway 211, a distance of 60.00 feet to a point on the Southerly right of way line of said State Highway 211, said point also being at the Northwesterly corner of the Plat of the "West Molalla Homes"; thence South 19°55′00″ West, along the Westerly line of said "West Molalla Homes" Plat; and its Southerly extension, a distance of 683.99 feet to the true point of beginning of the Tract of land herein described.

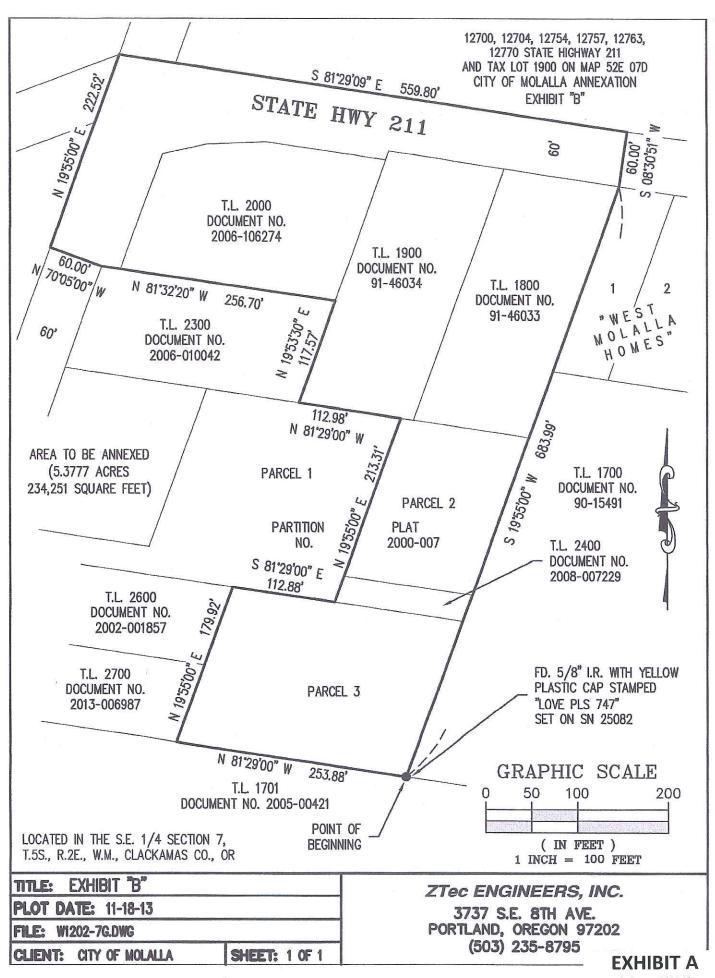
Said Tract of land contains an area of 5.3777 acres (234,251 square feet), more or less.

The bearings and distances in this description are based on Partition Plat No. 2000-0070 and on Clackamas County Survey No. 25082.

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON JULY 17, 1981 CHRIS FISCHBORN 1944

deschoon





## **Property Report**

**GURDIAL & HARDEEP INC** 10794 SE 144TH LOOP HAPPY VALLEY, OR 97086

Site Address:

12704 S HWY 211

Taxlot Number:

52E07D 02000

Land Value:

211075

Building Value:

738580

Total Value:

949655

Acreage:

Year Built:

Sale Date:

11/15/2006

Sale Amount:

1488500

Sale Type:

S

Land Class:

**Building Class:** 

Neighborhood:

Area 02 commercial

Taxcode Districts: 035040

Location Map:

Flood Zone:

Zoning Designation(s):

211

Zone

Overlays:

Acreage:

RRFF5

0.90

Site Characteristics:

UGB:

**MOLALLA** 

Not Available

Fire

Molalla RFPD #73

Park School

**SCH 35 MOLALLA RIVER** 

Sewer

N/A

Water Cable N/A Wave Broadband (Molalla)

CPO

Molalla

Garb/Recyc City/County Molalla Sanitary

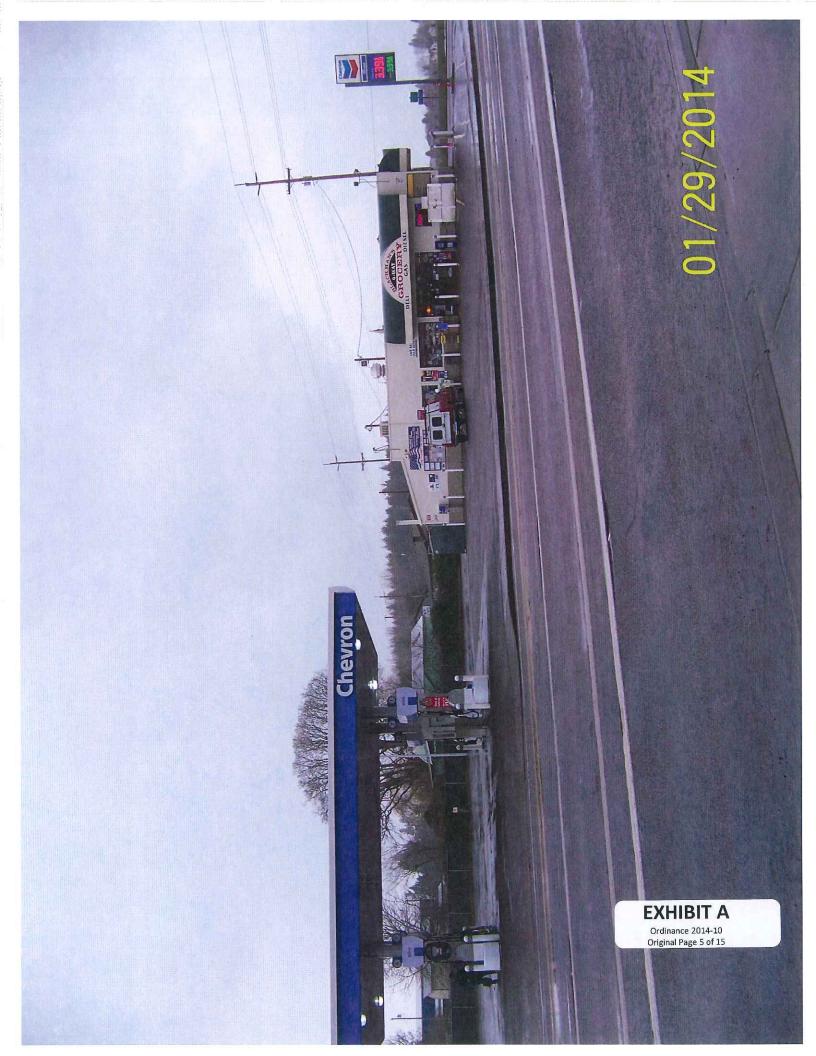
Clackamas Co.

EXHIBIT A

Ordinance 2014-10 Original Page 4 of 15

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## **Property Report**

**HEKALA VIRGINIA TRUST** 12754 S HWY 211 MOLALLA, OR 97038

Site Address:

NO SITUS

Taxlot Number:

52E07D 01900

Land Value:

16726 0

**Building Value:** Total Value:

16726

Acreage:

Year Built:

Sale Date:

09/01/1991

Sale Amount:

Sale Type:

Land Class:

100

**Building Class:** 

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035040

S CROMPTONS LN

Location Map:

211

Site Characteristics:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

RRFF5

0.87

211

Fire

Molalla RFPD #73

Park

School **SCH 35 MOLALLA RIVER** 

Sewer N/A

Water

N/A

Cable

Wave Broadband (Molalla)

CPO

Molalla

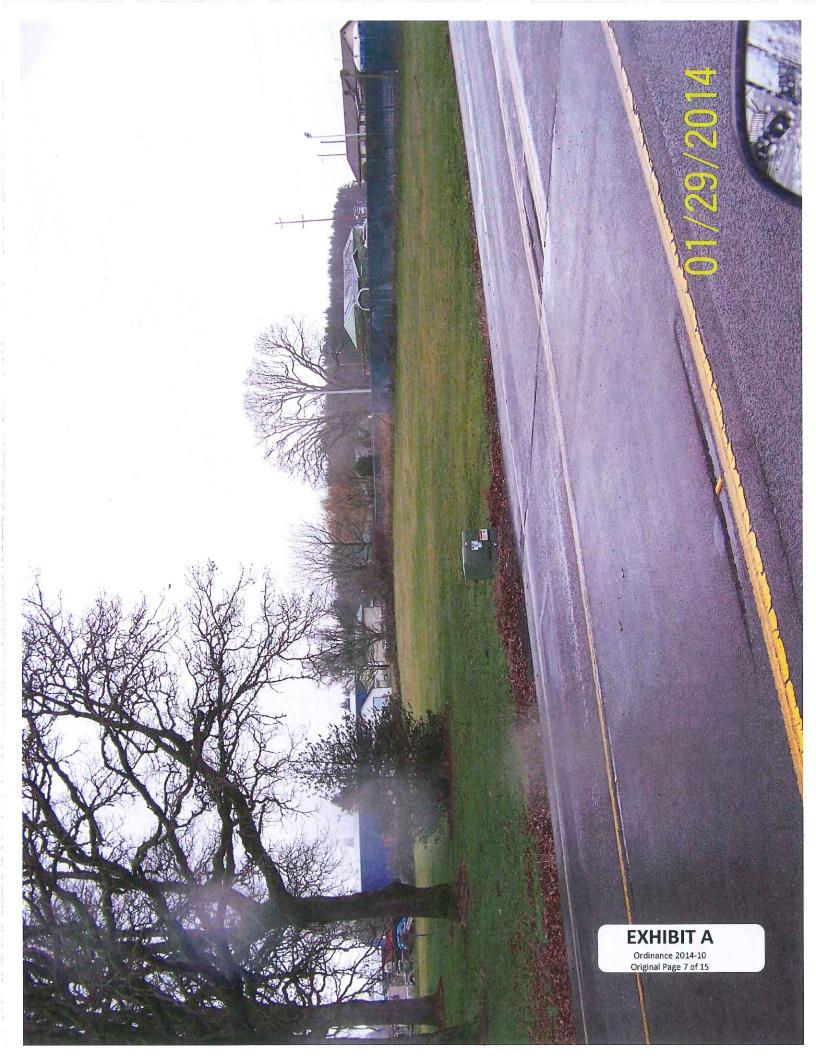
Garb/Recyc City/County Molalla Sanitary Clackamas Co.

**EXHIBIT A** 

Ordinance 2014-10 Original Page 6 of 15

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## **Property Report**

(211)

**HEKALA VIRGINIA TRUST** 12754 S HWY 211 MOLALLA, OR 97038

Site Address:

12754 S HWY 211

Taxlot Number:

52E07D 01800

Land Value:

75105

Building Value:

77070

Total Value:

152175

Acreage:

Year Built:

1925

Sale Date:

09/01/1991

Sale Amount:

10

Sale Type:

Land Class:

**Building Class:** 

13

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035040

Site Characteristics:

SCROMPTONSLN

Location Map:

(211)

213

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zone

Zoning Designation(s): Overlays:

Acreage:

RRFF5

0.82

Fire

Molalla RFPD #73

Park

School **SCH 35 MOLALLA RIVER** 

Sewer Water

N/A N/A

Cable

Wave Broadband (Molalla)

CPO

Molalla

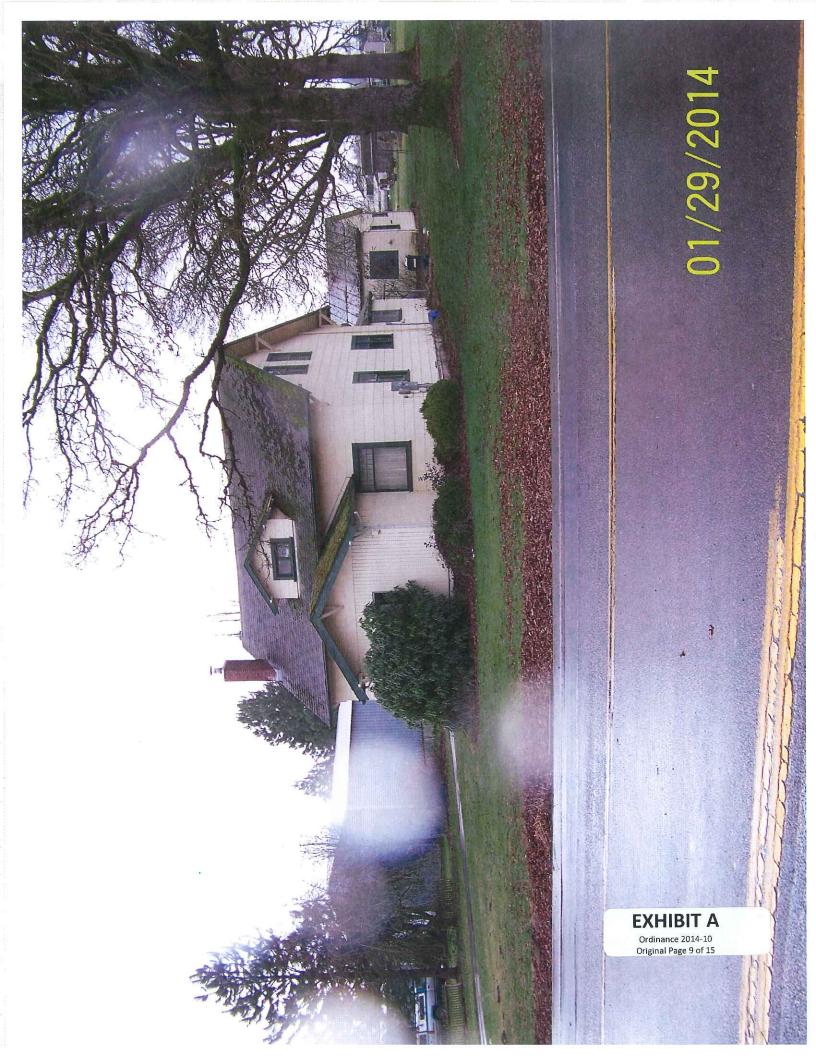
Garb/Recyc City/County Molalla Sanitary Clackamas Co.

**EXHIBIT A** 

Ordinance 2014-10 Original Page 8 of 15

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## **Property Report**

**BURLEY RANDY G** 12757 S CROMPTONS LN MOLALLA, OR 97038

Site Address:

12763 S CROMPTONS LN

Taxlot Number:

52E07D 02401

Land Value:

53841

Building Value:

600

Total Value:

54441

Acreage:

Year Built:

Sale Date:

06/23/2008

Sale Amount:

0

Sale Type:

S

Land Class:

**Building Class:** 

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035040

Park

School Sewer N/A

Water

Fire

Wave Broadband (Molalla) Cable

CPO Molalla

Garb/Recyc

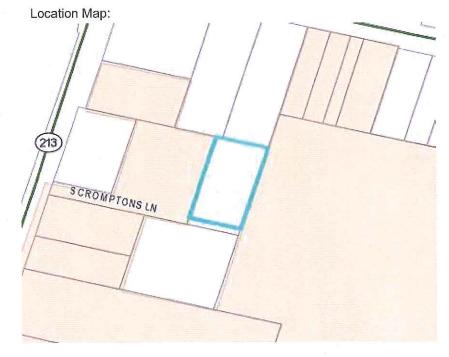
City/County

Molalla RFPD #73

**SCH 35 MOLALLA RIVER** 

N/A

Molalla Sanitary Clackamas Co.



Site Characteristics:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

<u>Zone</u>

Overlays:

Acreage:

RRFF5

0.62

**EXHIBIT A** Ordinance 2014-10 Original Page 10 of 15





## **Property Report**

**BURLEY TERRY L** 12770 S CROMPTONS LN MOLALLA, OR 97038

Site Address:

**NO SITUS** 

Taxlot Number:

52E07D 02404

Land Value:

3040

Building Value:

0

Total Value:

3040

Acreage:

Year Built:

Sale Date:

05/19/2008

Sale Amount:

28000

Sale Type:

S

Land Class:

100

**Building Class:** 

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035040

Site Characteristics:

Location Map:

UGB:

**MOLALLA** 

S CROMPTONS LN

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

RRFF5

0.05

Fire

Molalla RFPD #73

Park School N/A

**SCH 35 MOLALLA RIVER** 

Sewer Water

N/A N/A

Cable

Wave Broadband (Molalla)

CPO

Garb/Recyc City/County **Molalla Sanitary** Clackamas Co.

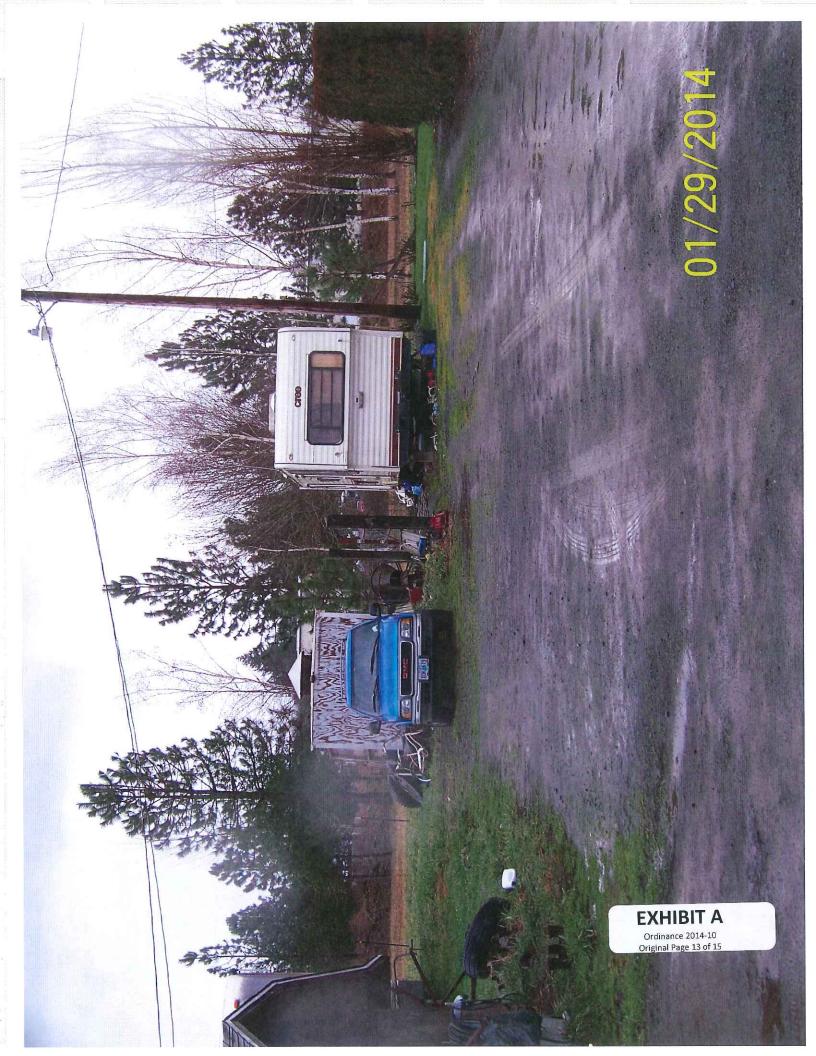
Molalla

Ordinance 2014-10 Original Page 12 of 15

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**EXHIBIT A** 





## **Property Report**

**BURLEY TERRY L** 29335 S CRAMER RD MOLALLA, OR 97038

Site Address:

12770 S CROMPTONS LN

Taxlot Number:

52E07D 02400

Land Value:

64236

**Building Value:** 

740

Total Value:

64976

Acreage:

Year Built:

Sale Date:

12/01/1997

Sale Amount:

28000

Sale Type:

Land Class:

101

**Building Class:** 

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035040

Site Characteristics:

Location Map:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

S CROMPTONS LN

Zoning Designation(s):

Zone

Overlays:

Acreage:

RRFF5

1.03

Fire

Molalla RFPD #73

Park

**SCH 35 MOLALLA RIVER** School N/A Sewer

N/A Water

Cable Wave Broadband (Molalla)

CPO

Garb/Recyc City/County Molalla

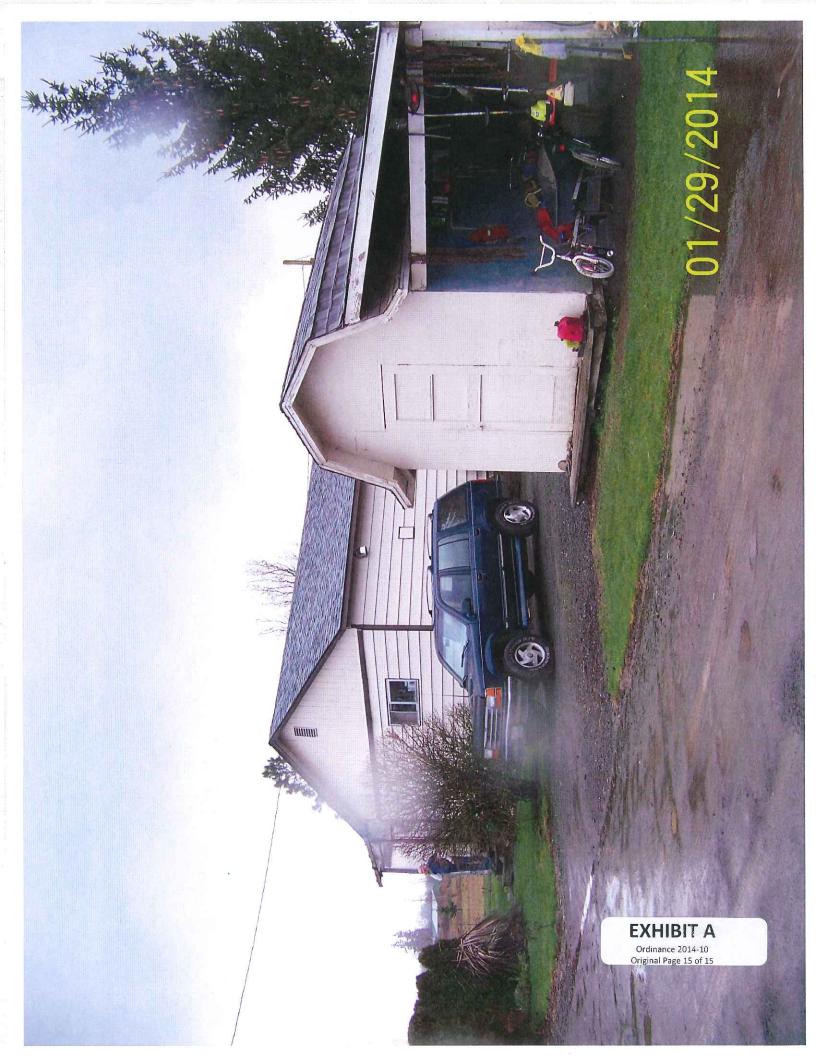
Molalla Sanitary Clackamas Co.

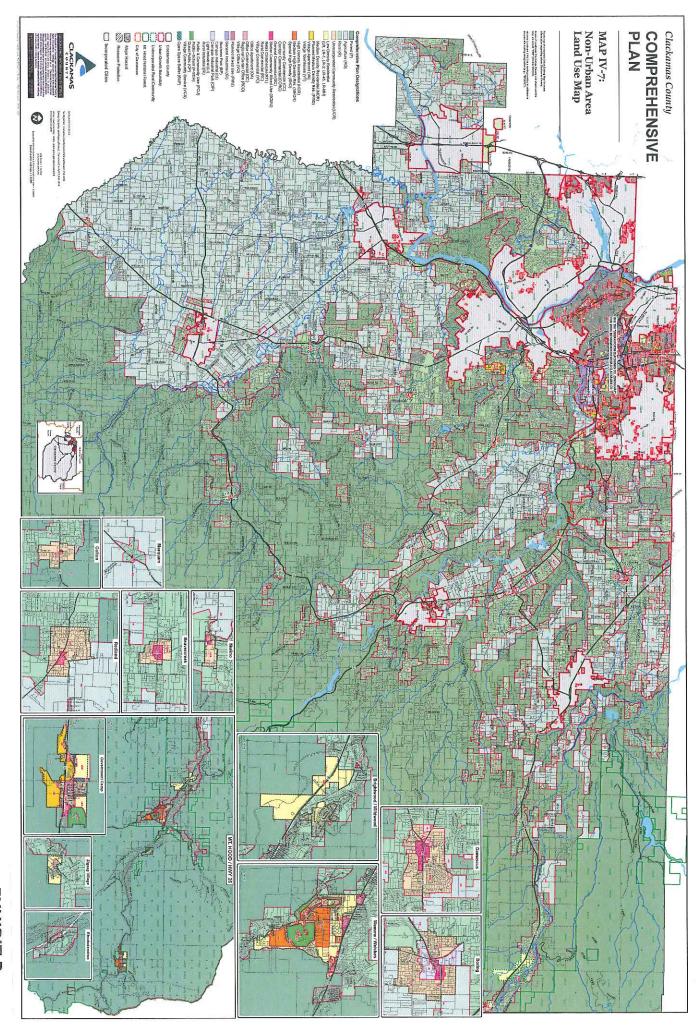
EXHIBIT A

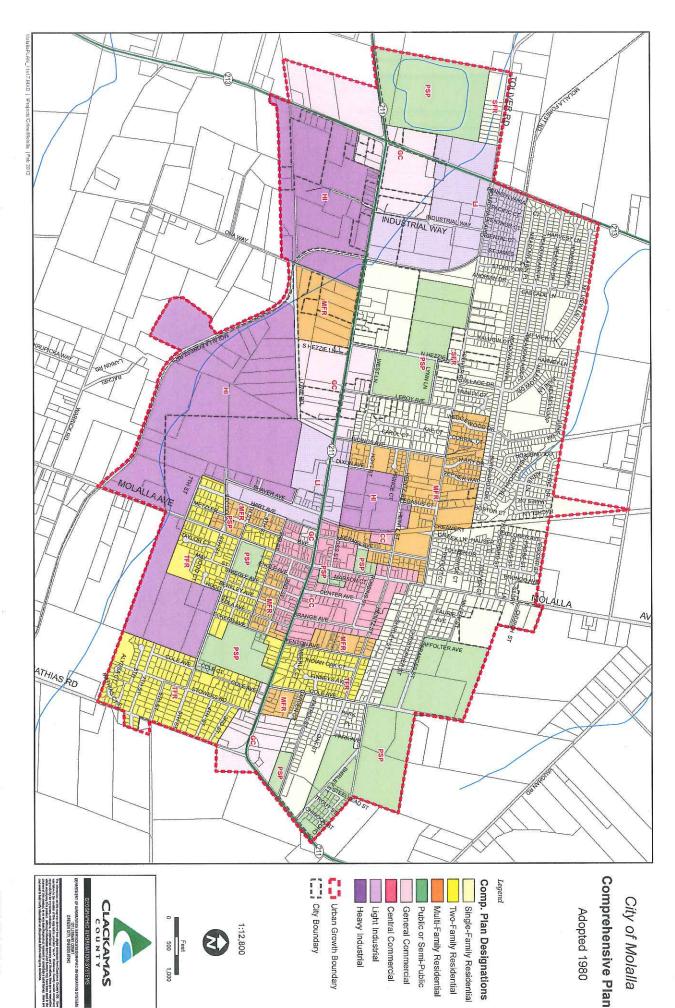
Ordinance 2014-10 Original Page 14 of 15

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#### CITY OF MOLALLA

#### **ORDINANCE No. 2014 - 11**

# AN ORDINANCE ANNEXING ISLAND TERRITORY INTO THE CITY OF MOLALLA, WITHDRAWING THE TERRITORY FROM SPECIAL DISTRICTS, AMENDING THE COMPREHESIVE PLAN AND REZONING PROPERTY.

**WHEREAS**, pursuant to ORS 222.750, the City of Molalla ("City") initiated annexation of territory surrounded by the corporate boundaries of the City (Case File No. P-6-2014);

WHEREAS, the City notified affected property owners and others entitled to notice under the City's code and notified the state of its intent to annex such territory;

**WHEREAS**, on June 4, 2014, the Molalla Planning Commission held a duly noticed public hearing to consider the annexation of several islands surrounded by the City's corporate boundaries;

WHEREAS, the planning commission recommended the Molalla City Council annex the islands in accordance with the City's code and state law; and

WHEREAS, the city council held a public hearing on July 9, 2014 and decided to annex the islands, withdraw the islands from certain districts, amend the properties' comprehensive plan designations and change the zoning on the properties from county to city zoning.

**NOW, THEREFORE,** the City of Molalla ordains:

**Section 1.** The real property that is the subject of this ordinance is located in a tract of land being all of that tract of land described in that Deed recorded as Document No. 2006-066856, Clackamas County Deed records and also being a portion of State Highway 213, all located in the Southeast one-quarter of Section 7, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon:

Tax Lot No. 52E07D 02500

This property is annexed into the City of Molalla. A meets and bounds legal description, surveyor's map, current Clackamas County Property Report and a time stamped photo of the property are attached and incorporated as Exhibit A.

**Section 2.** The existing Clackamas County comprehensive plan designation, R (Rural Industrial), is changed to a City plan designation of GC (General Commercial). This change is supported by findings, attached and incorporated as Exhibit B.

**Section 3.** The existing Clackamas County zoning for the affected property, RRFF5 (Rural, Residential, Farm/Forest, 5-acre Minimum Lot Size) is changed to C-2 (General Commercial). The property is currently in use as both a residence and commercial photographer.

**Section 4.** The territory is withdrawn from the following service/special districts: None noted.

**Section 5.** Lawfully established land uses occurring on or within the annexed territory may continue and will be treated as nonconforming uses after the effective date of annexation to the City.

Section 6. The Molalla City Recorder shall:

- 1. Mail a copy of this ordinance and attachments to the Oregon Department of Revenue;
- 2. Mail a copy of this ordinance to Clackamas County and all affected service districts;
- 3. Mail a copy of this ordinance to the Oregon Department of Land Conservation and Development, together with the appropriate forms required by the department; and
- 4. If the property owner of the annexed territory appeared before the planning commission or city council, mail a notice to the property owner summarizing this ordinance and describing the owner's right to appeal this decision.

Adopted this 9th day of July by the City Co	ouncil of the City of Molalla on a vote of ayes and
nays.	
	Mayor Deborah Rogge
Attest this 9th day of July 2014	
City Recorder Sadie Cramer	

#### **ZTec Engineers, Inc.**

John McL. Middleton, P.E.

Civil ◆ Structural ◆ Surveying Chris C. Fischborn, P.L.S.

3737 SE 8<sup>th</sup> Ave. Portland, OR 97202 503-235-8795

FAX: 503-233-7889

Email: chris@ztecengineers.com

31568 State Highway 213 Annexation to the City of Molalla

A Tract of land being all of that tract of land described in that Deed recorded as Document No. 2006-066856, Clackamas County Deed Records and also being a portion of State Highway 213, all located in the Southeast one-quarter of Section 7, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon. Said Tract of land being more particularly described as follows:

Beginning at a 5/8 inch iron rod with a yellow plastic stamped "LOVE PLS 747", found at the Northwest corner of said Document No. 2006-066856 tract, said point being on the Easterly right of way line of State Highway 213; thence South 81°29′00" East, along the Northerly line of said Document No. 2006-066856 tract, a distance of 155.39 feet to the most Northerly Northwest corner of Parcel 1 of Partition Plat No. 2000-007; thence South 19°55′00" West, along the boundary line of said Parcel 1, a distance of 181.31 feet to a point; thence continuing along said Parcel 1 boundary line, North 81°29′00" West a distance of 155.39 feet to a point on said Easterly right of way line of said State Highway 213; thence North 70°05′00" West, at right angles to said State Highway 213, a distance of 60.00 feet to a point on the Westerly right of way line of said State Highway 213; thence North 19°55′00" East, along said Westerly right of way line, a distance of 181.31 feet to a point; thence South 70°05′00" East, at angles to said State Highway 213, a distance of 60.00 feet to the true point of beginning of the Tract of land herein described.

Said Tract of land contains an area of 0.8838 acres (38,496 square feet) more or less.

The bearings and distance in this description are based on Clackamas County Partition Plat No. 2000-007.

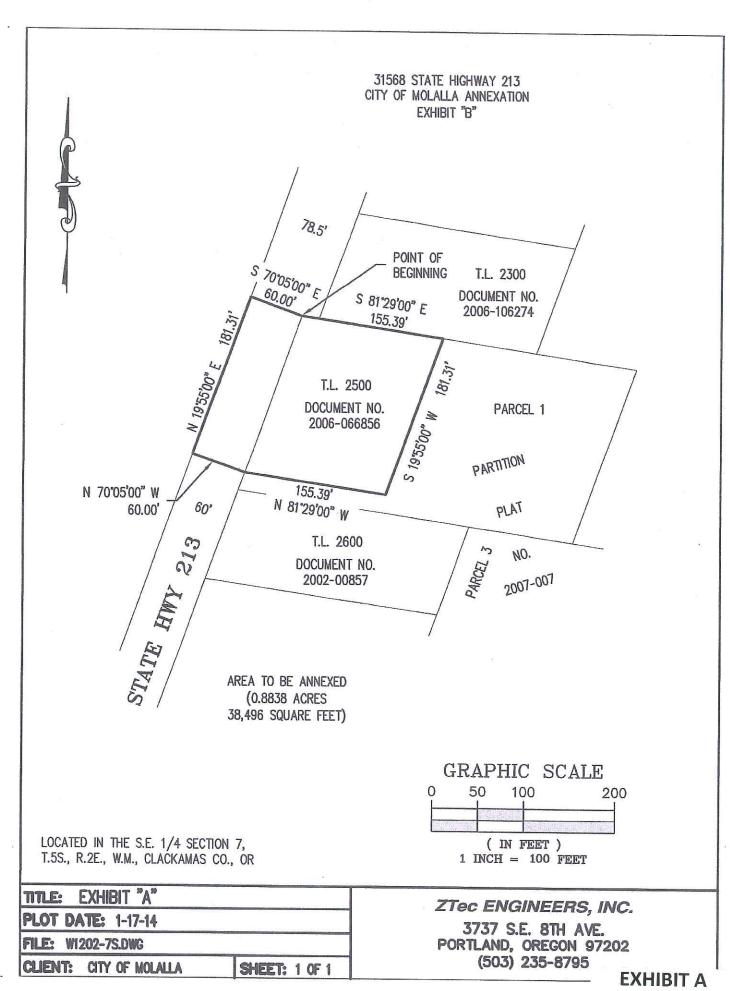
REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON JULY 17, 1981 CHRIS FISCHBORN

**EXHIBIT A** 

Ronald b. Sellards, P.E.

Ordinance 2014-11 Original Page 1 of 4



Ordinance 2014-11 Original Page 2 of 4



## **Property Report**

PETERSON GREGORY E 31568 S HWY 213 MOLALLA, OR 97038

Site Address:

31568 S HWY 213

Taxlot Number:

52E07D 02500

Land Value:

70305

**Building Value:** 

124780

Total Value:

195085

Acreage:

Year Built:

1950

Sale Date:

07/18/2006

Sale Amount:

242000

Sale Type:

Land Class:

101

**Building Class:** 

13

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035040

Site Characteristics:

Location Map:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

Zone

S CROMPTONS LN

Overlays:

Acreage:

RRFF5

0.63

Fire

Molalla RFPD #73

Park

School

**SCH 35 MOLALLA RIVER** 

Sewer

N/A

Water Cable N/A Wave Broadband (Molalla)

CPO

Molalla

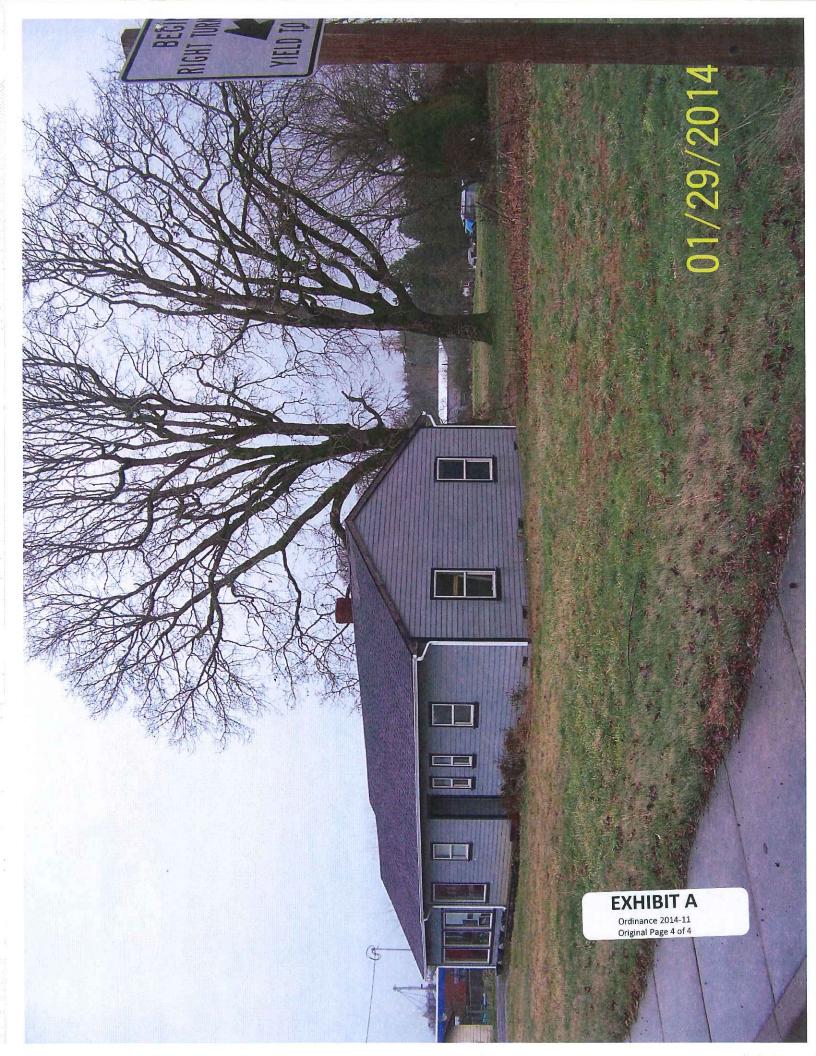
Garb/Recyc City/County Molalla Sanitary

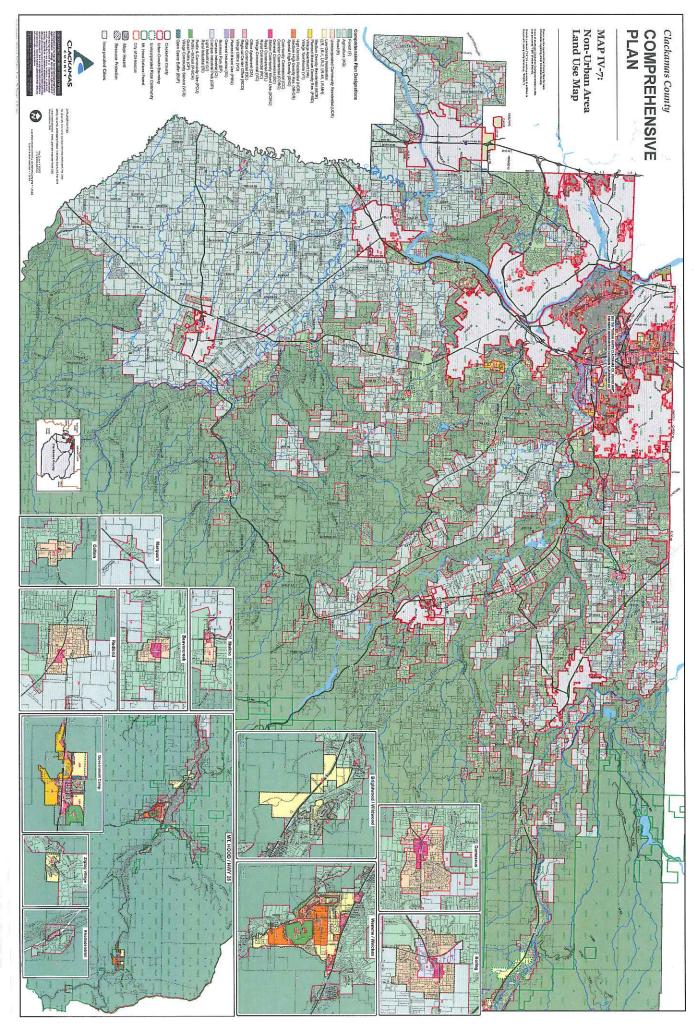
Clackamas Co.

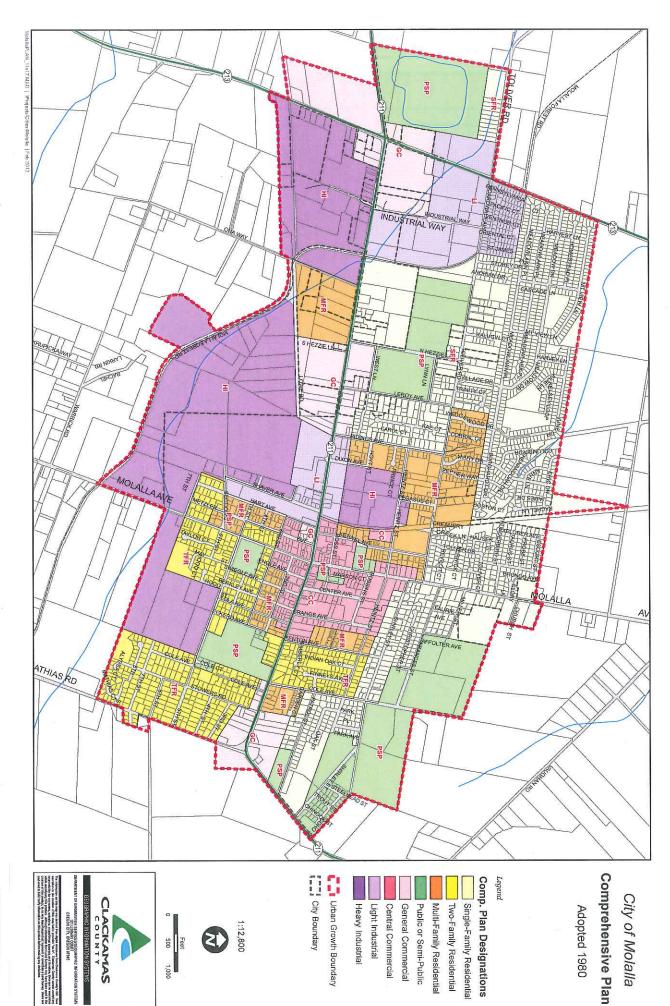
**EXHIBIT A** 

Ordinance 2014-11 Original Page 3 of 4

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.









#### CITY OF MOLALLA

#### **ORDINANCE No. 2014 - 12**

# AN ORDINANCE ANNEXING ISLAND TERRITORY INTO THE CITY OF MOLALLA, WITHDRAWING THE TERRITORY FROM SPECIAL DISTRICTS, AMENDING THE COMPREHESIVE PLAN AND REZONING PROPERTY.

WHEREAS, pursuant to ORS 222.750, the City of Molalla ("City") initiated annexation of territory surrounded by the corporate boundaries of the City (Case File No. P-6-2014);

**WHEREAS**, the City notified affected property owners and others entitled to notice under the City's code and notified the state of its intent to annex such territory;

WHEREAS, on June 4, 2014, the Molalla Planning Commission held a duly noticed public hearing to consider the annexation of several islands surrounded by the City's corporate boundaries;

WHEREAS, the planning commission recommended the Molalla City Council annex the islands in accordance with the City's code and state law; and

WHEREAS, the city council held a public hearing on July 9, 2014 and decided to annex the islands, withdraw the islands from certain districts, amend the properties' comprehensive plan designations and change the zoning on the properties from county to city zoning.

**NOW, THEREFORE,** the City of Molalla ordains:

**Section 1.** The real property that is the subject of this ordinance is located in a tract of land being all of that tract of land described in that Deed recorded as Document No. 86-02182, Clackamas County Deed Records, being a portion of Tract 35 of the Plat of "The Shaver Place", located in the Northeast one-quarter of Section 7, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon:

Tax Lot No. 52E07A 02100

This property is annexed into the City of Molalla. A meets and bounds legal description, surveyor's map, current Clackamas County Property Report and a time stamped photo of the property are attached and incorporated as Exhibit A.

**Section 2.** The existing Clackamas County comprehensive plan designation, RC (Rural Commercial), is changed to a City plan designation of GC (General Commercial). This change is supported by findings, attached and incorporated as Exhibit B.

**Section 3.** The existing Clackamas County zoning for the affected property, RRFF5 (Rural, Residential, Farm/Forest, 5-acre Minimum Lot Size) is changed to C-2 (General Commercial). The property is currently in use as a residence.

**Section 4.** The territory is withdrawn from the following service/special districts: None noted.

**Section 5.** Lawfully established land uses occurring on or within the annexed territory may continue and will be treated as nonconforming uses after the effective date of annexation to the City.

Section 6. The Molalla City Recorder shall:

- 1. Mail a copy of this ordinance and attachments to the Oregon Department of Revenue;
- 2. Mail a copy of this ordinance to Clackamas County and all affected service districts;
- 3. Mail a copy of this ordinance to the Oregon Department of Land Conservation and Development, together with the appropriate forms required by the department; and
- 4. If the property owner of the annexed territory appeared before the planning commission or city council, mail a notice to the property owner summarizing this ordinance and describing the owner's right to appeal this decision.

Adopted this 9th day of July by the City Co	ouncil of the City of Molalla on a vote of	ayes and
	Mayor Deborah Rogge	
Attest this 9th day of July 2014		
City Recorder Sadie Cramer		

#### **ZTec Engineers, Inc.**

John McL. Middleton, P.E.

Civil ♦ Structural ♦ Surveying

Chris C. Fischborn, P.L.S. 3737 SE 8<sup>th</sup> Ave.

Portland, OR 97202 503-235-8795

FAX: 503-233-7889 Email: chris@ztecengineers.com Ronald b. Sellards, P.E.

12843 State Highway 211 Annexation to the City of Molalla

#### Exhibit A

A Tract of land being all of that Tract of land described in that deed recorded as Document No. 86-02182, Clackamas County Deed Records, being a portion of Tract 35 of the Plat of "The Shaver Place", located in the Northeast one-quarter of Section 7, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon. Said Tract of land being more particularly described as follows:

Beginning at a 5/8 inch iron rod with a yellow plastic cap stamped, "DAVIS & PIKE LS 846" found at the Northwesterly corner of Partition Plat No. 2010-054, said point also being the Northeasterly corner of said Document No. 86-02182; thence South 08°42′35" West, along the Westerly boundary line of said Partition Plat No. 2010-054, a distance of 957.60 feet to a point on the Northerly right of way line of State Highway 211; thence South 08°58′07" West, at right angles to said Highway 211, a distance of 60.00 feet to a point on the Southerly right of way line of said Highway 211; thence North 81°01′53" West, along said Southerly right of way line, a distance of 132.68 feet to a point; thence North 08°58′07" East, at right angles to said Highway 211, a distance of 60.00 feet to a point on said Northerly right of way line of said Highway 211, said point also being at the Southwesterly corner of said Document No. 86-02182 Tract; thence North 08°42′35" East, along the Westerly line of said Document No. 86-02182 Tract, a distance of 956.00 feet to the Northwesterly corner thereof; thence South 81°43′29" East, along the Northerly line of said Document No. 86-02182 Tract, a distance of 132.68 feet to the true point of beginning of the Tract of land herein described.

Said Tract of land contains an area of 3.0970 acres (134,905 square feet), more or less.

The basis of bearings for this description is Clackamas County Partition Plat No. 2010-054.

REGISTERED PROFESSIONAL LAND SURVEYOR

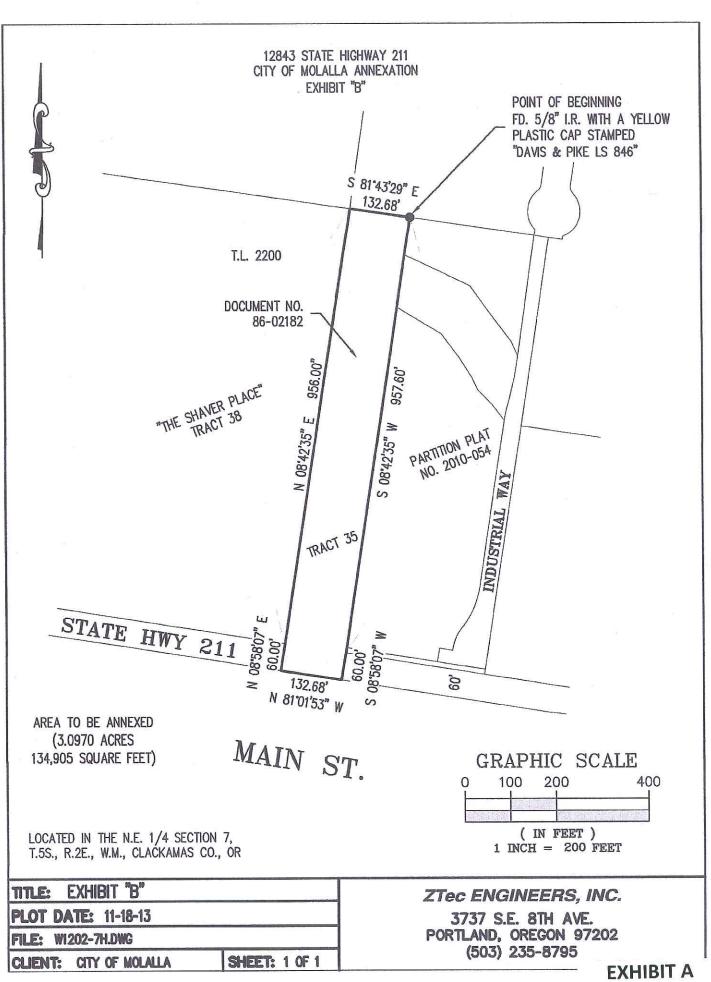
OREGON
JULY 17, 1981

CHRIS FISCHBORN

1944

**EXHIBIT A** 

Ordinance 2014-12 Original Page 1 of 4



Ordinance 2014-12 Original Page 2 of 4



## **Property Report**

NEWCOMB DALE C PO BOX 2579 LEBANON, OR 97355

Site Address:

12843 S HWY 211

Taxlot Number:

52E07A 02100

Land Value:

94703

**Building Value:** Total Value:

148950 243653

Acreage:

2.91

Year Built: Sale Date: 1952

01/01/1986

Sale Amount:

55000

Sale Type:

Land Class:

101

**Building Class:** 

14

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035040



Site Characteristics:

UGB:

MOLALLA

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

RRFF5

2.91

M1

0.00

Fire

Molalla RFPD #73

Park

School Sewer

N/A N/A

Water

**SCH 35 MOLALLA RIVER** 

Cable CPO

Wave Broadband (Molalla) Molalla

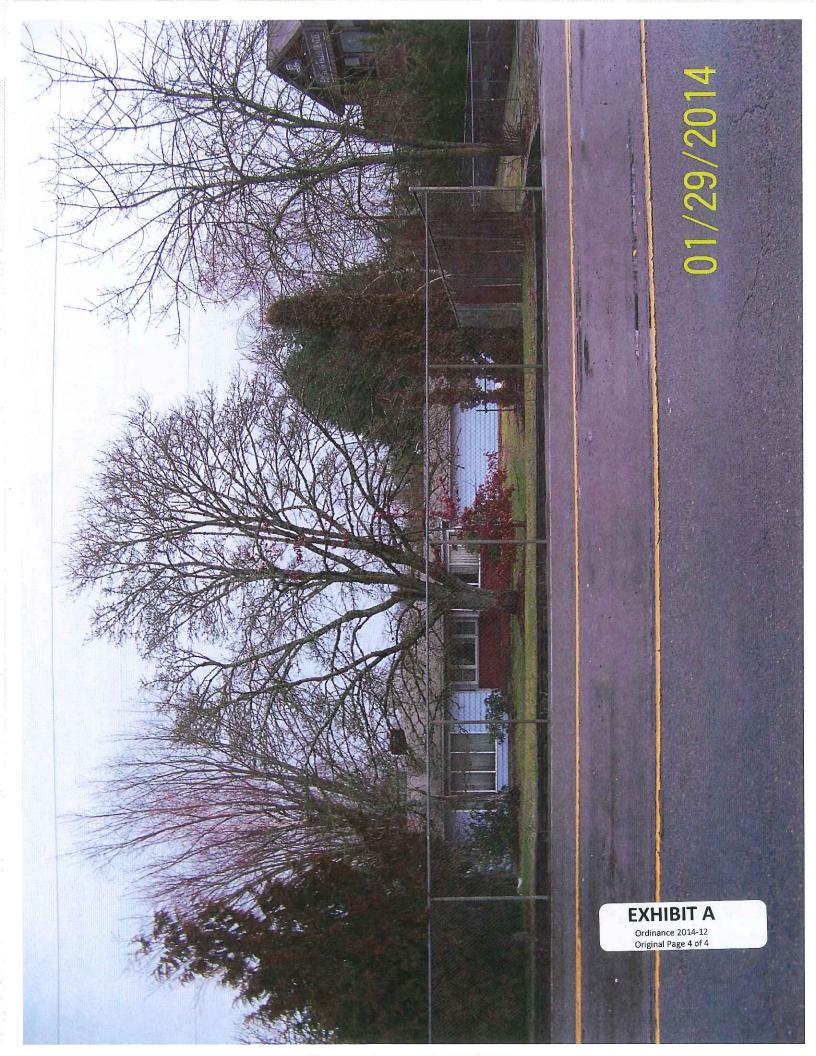
Molalla Sanitary

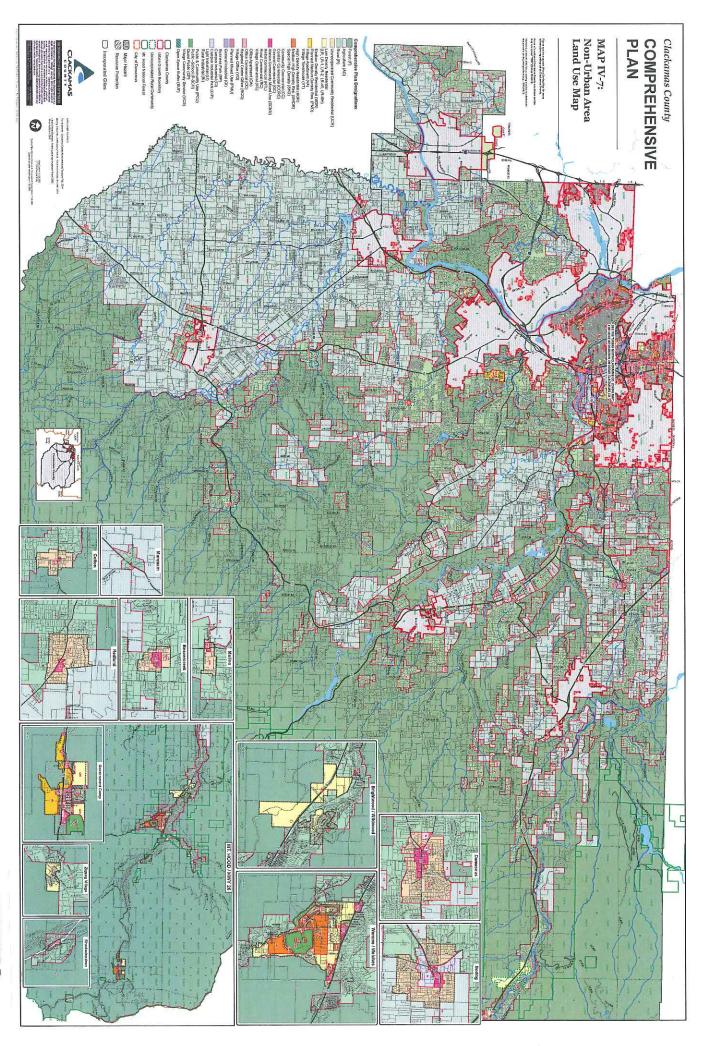
Garb/Recyc City/County

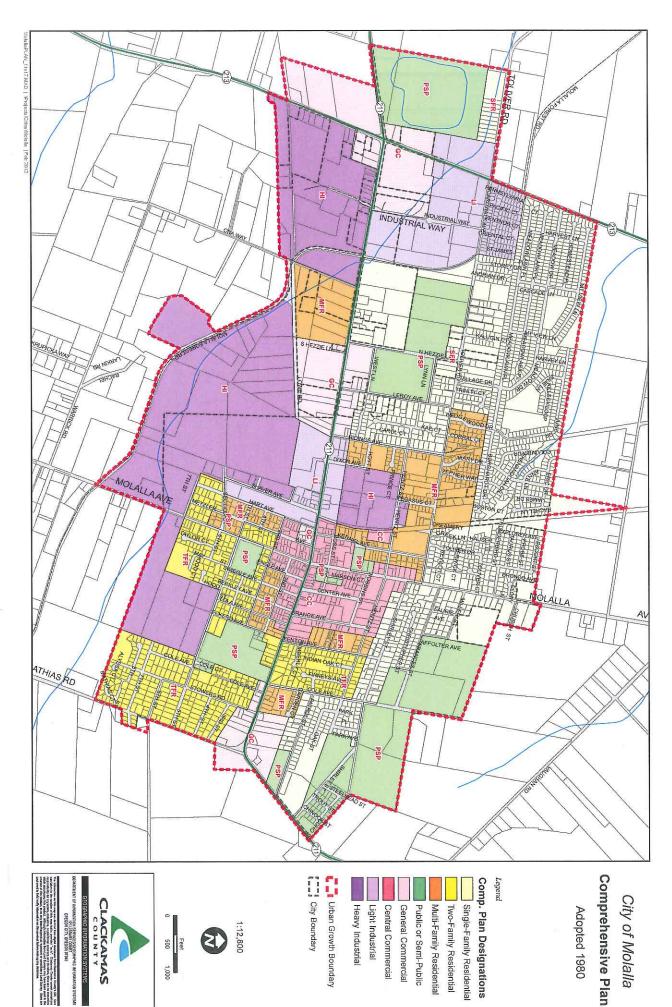
Clackamas Co.

**EXHIBIT A** 

Ordinance 2014-12 Original Page 3 of 4









#### CITY OF MOLALLA

#### **ORDINANCE No. 2014 - 13**

# AN ORDINANCE ANNEXING ISLAND TERRITORY INTO THE CITY OF MOLALLA, WITHDRAWING THE TERRITORY FROM SPECIAL DISTRICTS, AMENDING THE COMPREHESIVE PLAN AND REZONING PROPERTY.

**WHEREAS**, pursuant to ORS 222.750, the City of Molalla ("City") initiated annexation of territory surrounded by the corporate boundaries of the City (Case File No. P-6-2014);

**WHEREAS**, the City notified affected property owners and others entitled to notice under the City's code and notified the state of its intent to annex such territory;

**WHEREAS**, on June 4, 2014, the Molalla Planning Commission held a duly noticed public hearing to consider the annexation of several islands surrounded by the City's corporate boundaries;

WHEREAS, the planning commission recommended the Molalla City Council annex the islands in accordance with the City's code and state law; and

**WHEREAS**, the city council held a public hearing on July 9, 2014 and decided to annex the islands, withdraw the islands from certain districts, amend the properties' comprehensive plan designations and change the zoning on the properties from county to city zoning.

NOW, THEREFORE, the City of Molalla ordains:

Section 1. The real properties that are the subject of this ordinance are located in a Tract of land being all of Parcel 3 of Partition Plat No. 1993-141, all of that Tract of land described in that Deed recorded as Document No. 96-052091, Clackamas County Deed Records, all of that Tract of land described in that Deed recorded as Document No. 97-028357, Clackamas County Deed Records, all of that Tract of land described in that Deed recorded as Document no. 2006-030377, Clackamas County Deed Records, all of that Tract of land described in that Deed recorded as Document No. 2008-084319, Clackamas County Deed Records; all of that Tract of land described in that Deed recorded as Document No. 94-053626, Clackamas County Deed Records; all of that Tract of land described in that Deed recorded as Document No. 92-45178, Clackamas County Deed Records, all of that Tract of land described in that Deed recorded as Document No. 2008-014117, Clackamas County Deed Records, all of that Tract of land described in that Deed recorded as Document No. 72-32514, Clackamas County Deed Records, all of that Tract of land described in that Deed recorded as Document No. 2006-029666, Clackamas County Deed Records, all of that Tract of land described as Parcel 2 of that Deed recorded as Document No. 2006-030379, all of that Tract of land described as Parcel 1 of that Deed recorded as Document No. 2006-030379, a portion of State Highway 211 and a portion of Molalla Forest Road, being a portion of Tracts 27,30,31 and 34 of the Plat of

"The Shaver Place", located in the Northeast one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon:

Tax Lot No. 52E07A 01804

Tax Lot No. 52E07A 01700

Tax Lot No. 52E07A 01600

Tax Lot No. 52E08B 03202

Tax Lot No. 52E08B 03201

Tax Lot No. 52E08B 03203

Tax Lot No. 52E08B 03300

Tax Lot No. 52E08B 03400

Tax Lot No. 52E08B 03500

Tax Lot No. 52E08B 03600

Tax Lot No. 52E08B 03700

Tax Lot No. 52E08B 03800

These properties are annexed into the City of Molalla. A meets and bounds legal description, surveyor's map, current Clackamas County Property Report and a time stamped photo of the property are attached and incorporated as Exhibit A.

**Section 2.** The existing Clackamas County comprehensive plan designation, R (Rural Residential), is changed to a City plan designation of SFR (Single Family Residential), except for Tax Lot No. 52E07A 01804 & Tax Lot No. 52E07A 01700 is changed to City plan designation LI (Light Industrial). This change is supported by findings, attached and incorporated as Exhibit B.

**Section 3.** The existing Clackamas County zoning for the affected properties, RRFF5 (Rural, Residential, Farm/Forest, 5-acre Minimum Lot Size) is changed to R-1 (Single Family Residential), except for Tax Lot No. 52E07A 01804 & Tax Lot No. 52E07A 01700 is changed to M-1 (Light Industrial). The properties are currently:

```
Tax Lot No. 52E07A 01804
                            Residential – In Use
Tax Lot No. 52E07A 01700
                            Residential – In Use
Tax Lot No. 52E07A 01600
                            Residential – In Use
Tax Lot No. 52E08B 03202
                            Residential - In Use
Tax Lot No. 52E08B 03201
                            Undeveloped
Tax Lot No. 52E08B 03203
                            Commerical – In Use
                            Residential - In Use
Tax Lot No. 52E08B 03300
Tax Lot No. 52E08B 03400
                            Residential – In Use
                            Multi-Family Residential – In Use
Tax Lot No. 52E08B 03500
Tax Lot No. 52E08B 03600
                            Residential – In Use
Tax Lot No. 52E08B 03700
                            Residential – In Use
Tax Lot No. 52E08B 03800
                            Residential - In Use
```

**Section 4.** The territory is withdrawn from the following service/special districts: None noted.

**Section 5.** Lawfully established land uses occurring on or within the annexed territory may continue and will be treated as nonconforming uses after the effective date of annexation to the City.

#### Section 6. The Molalla City Recorder shall:

- 1. Mail a copy of this ordinance and attachments to the Oregon Department of Revenue;
- 2. Mail a copy of this ordinance to Clackamas County and all affected service districts;
- 3. Mail a copy of this ordinance to the Oregon Department of Land Conservation and Development, together with the appropriate forms required by the department; and
- 4. If the property owner of the annexed territory appeared before the planning commission or city council, mail a notice to the property owner summarizing this ordinance and describing the owner's right to appeal this decision.

Adopted this 9th day of July by the City Cou	incil of the City of Molalla on a vote of $\_$	ayes and
nays.		
	Mayor Deborah Rogge	
Attest this 9th day of July 2014		
City Recorder Sadie Cramer		

#### **ZTec Engineers, Inc.**

Civil ♦ Structural ♦ Surveying

John McL. Middleton, P.E.

Chris C. Fischborn, P.L.S. 3737 SE 8<sup>th</sup> Ave. Portland, OR 97202 503-235-8795 FAX: 503-233-7889

Email: chris@ztecengineers.com

Ronald b. Sellards, P.E.

12933, 13053, 13143, 13183, 13241, 13247, 13257, 13261, 13263 & 13341 State Highway 211 Tax Lots 3201 and 3203 on Tax Map 5S2E08B A Portion of Molalla Forest Road and a Portion Of State Highway 211

A Tract of land being all of Parcel 3 of Partition Plat No. 1993-141, all of that Tract of land described in that Deed recorded as Document No. 96-052091, Clackamas County Deed Records, all of that Tract of land described in that Deed recorded as Document No. 97-028357, Clackamas County Deed Records, all of that Tract of land described in that Deed recorded as Document no. 2006-030377, Clackamas County Deed Records, all of that Tract of land described in that Deed recorded as Document No. 2008-084319, Clackamas County Deed Records; all of that Tract of land described in that Deed recorded as Document No. 94-053626, Clackamas County Deed Records; all of that Tract of land described in that Deed recorded as Document No. 92-45178, Clackamas County Deed Records, all of that Tract of land described in that Deed recorded as Document No. 2008-014117, Clackamas County Deed Records, all of that Tract of land described in that Deed recorded as Document No. 72-32514, Clackamas County Deed Records, all of that Tract of land described in that Deed recorded as Document No. 2006-029666, Clackamas County Deed Records, all of that Tract of land described as Parcel 2 of that Deed recorded as Document No. 2006-030379, all of that Tract of land described as Parcel 1 of that Deed recorded as Document No. 2006-030379, a portion of State Highway 211 and a portion of Molalla Forest Road, being a portion of Tracts 27, 30, 31 and 34 of the Plat of "The Shaver Place", located in the Northeast one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon. Said Tract of land being more particularly described as follows:

Beginning at a 5/8 inch iron rod with a red plastic cap stamped "Centerline Concepts, Inc.", found at the most Westerly corner of Parcel 1 of Partition Plat No. 2003-071, said point being on the Northerly right of way line of State Highway 211; thence South 07°48′30" West, at right angles to said State Highway 211, a distance of 60.00 feet to a point on the Southerly right of way line of said State Highway 211;

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 17. 1981
CHRIS FISCHBORN
1944

**EXHIBIT A** 

Ordinance 2014-13 Original Page 1 of 28 12933, 13053, 13143, 13183, 13241, 13247, 13257, 13261, 13263 & 13341 State Highway 211 Tax Lots 3201 and 3203 on Tax Map 5S2E08B a Portion of Molalla Forest Road and a Portion of State Highway 211, cont.,

thence North 82°11'30" West, along said Southerly right of way line, a distance of 520.92 feet to an angle point in said Southerly right of way line; thence continuing along said Southerly right of way line, North 81°43'16" West a distance of 1399.58 feet to a point; thence North 08°16'44" East, at right angles to said State Highway 211, a distance of 60.00 feet to a point on said Northerly right of way line of said State Highway 211, said point being at the most Westerly corner of Parcel 3 of Partition Plat No. 1993-141; thence North 07°57'32" East, along the Westerly line of said Parcel 3, a distance of 524.03 feet to the Northwesterly corner thereof; thence South 82°27'41" East, along the Northerly line of said Parcel 3 and its Easterly extension, a distance of 819.91 feet to a point on the Westerly right of way line of said Molalla Forest Road: thence North 07°57'43" East, along said Westerly right of way line, a distance of 436.14 feet to a point; thence South 82°02'17" East, at right angles to said Molalla Forest Road, a distance of 60.00 feet to the Northwesterly corner of said Document No. 97-028357 tract; thence South 82°27'41" East, along the Northerly line of said Document No. 97-028357 tract, a distance of 439.96 feet to the Northeasterly corner thereof; thence South 07°57'48" West, along the Easterly line of said Document No. 97-028357, a distance of 499.93 feet to the Northwesterly corner of said Document No. 2006-030377 tract; thence South 82°21'20" East, along the Northerly line of said Document No. 2006-030377, and along the Northerly line of said Parcel 2 of said Document No. 2006-030379, a distance of 440.70 feet to a pointy on the Westerly line of said Document No. 72-32514; thence North 08°00'34" East, along said Westerly line, a distance of 121.07 feet to the Northwesterly corner thereof; thence South 82°11'30" East, along the Northerly line of said Document No. 72-32514 tract, a distance of 186.39 feet to the Northwesterly corner of Parcel 2 of said Partition Plat No. 2003-071; thence South 08°00'34" West, along the Westerly line of said Parcel 2, a distance of 418.73 feet to an angle point in said Westerly line; thence North 82°11'30" West a distance of 26.50 feet to an angle point in said Westerly line; thence South 08° 00'34" East, along said westerly line, and along the Westerly line of said Parcel 1 of Said Partition Plat No. 2003-071, a distance of 181.11 feet to the true point of beginning of the Tract of land herein described.

Said Tract of land contains an area of 31.0726 acres (1,353,522 square feet) more or less.

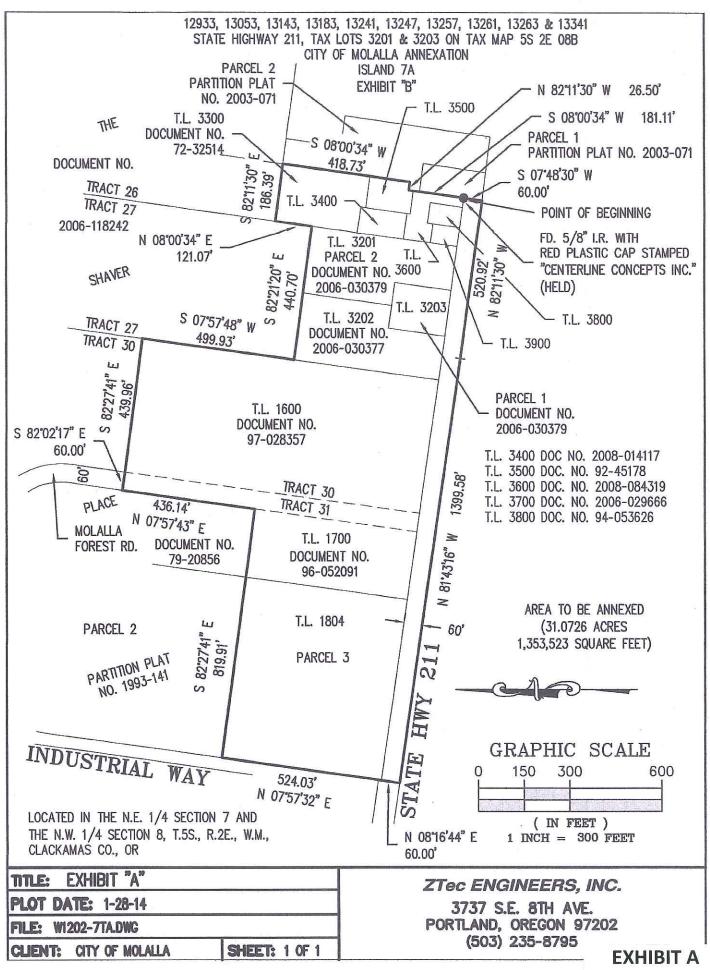
The bearings and distances in this description are based on Partition Plat No's 1993-141, 2003-071 and on Clackamas County Survey No. 10994.

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON JULY 17, 1991 CHRIS FISCHBORN 1944

EXHIBIT A

Ordinance 2014-13 Original Page 2 of 28





## **Property Report**

**BENTLEY FAMILY TRUST** 12933 S HWY 211 MOLALLA, OR 97038

Site Address:

12933 S HWY 211

Taxlot Number:

52E07A 01804

Land Value:

118566

**Building Value:** 

100570

Total Value:

219136

Acreage:

Year Built:

1940

Sale Date:

05/01/1992

Sale Amount:

10

Sale Type:

Land Class:

641

Building Class:

13

Neighborhood:

Molalla rural north all

Taxcode Districts: 035040

Location Map:

Flood Zone:

Zoning Designation(s):

Zone

Overlays:

Acreage:

7.13

Site Characteristics:

UGB:

MOLALLA

Not Available

RRFF5

Fire

Molalla RFPD #73

Park

N/A

School Sewer

SCH 35 MOLALLA RIVER N/A

Water

N/A

Cable

Wave Broadband (Molalla)

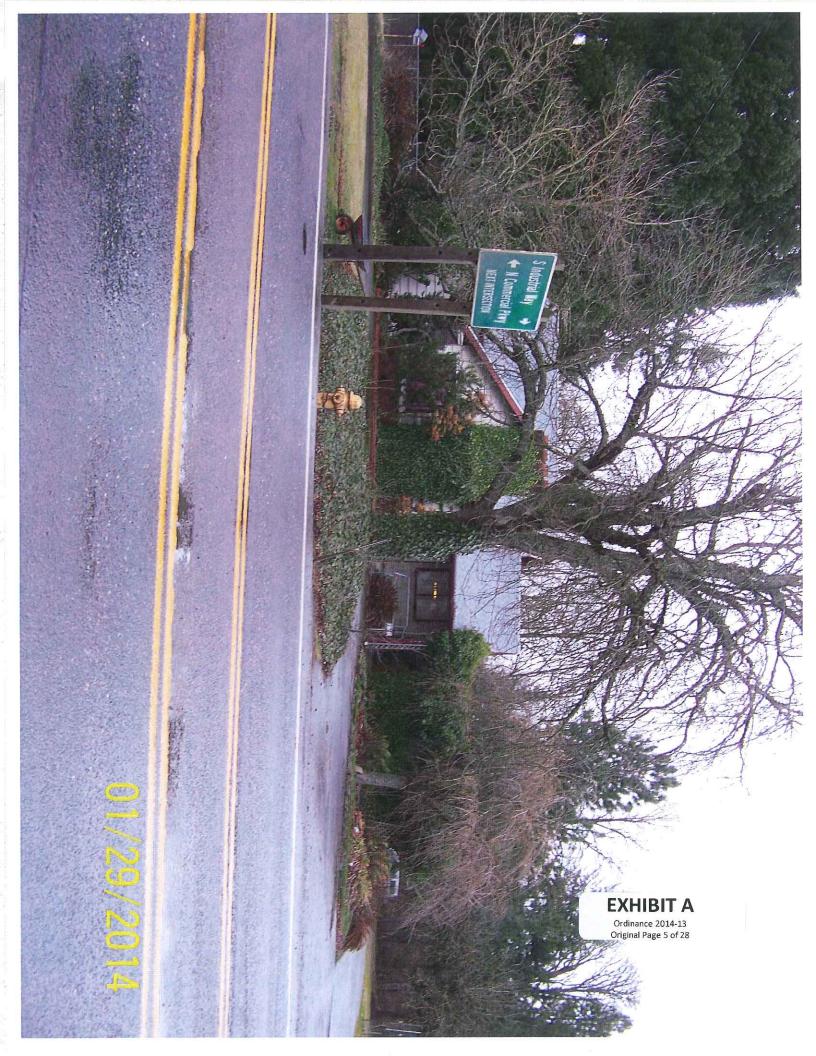
CPO

Molalla

Garb/Recyc City/County Molalla Sanitary Clackamas Co.

**EXHIBIT A** 

Ordinance 2014-13 Original Page 4 of 28





## **Property Report**

RUSSELL HARRY V & LEMO J 13053 S HWY 211 MOLALLA, OR 97038

Site Address:

13053 S HWY 211

Taxlot Number:

52E07A 01700

Land Value:

92915

Building Value:

185090

Total Value:

278005

Acreage:

Year Built:

1940

Sale Date:

07/01/1996

Sale Amount:

190000

Sale Type:

Land Class:

101

**Building Class:** 

14

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035040

211

Site Characteristics:

Location Map:

UGB:

**MOLALLA** Not Available

Flood Zone:

Zoning Designation(s):

Zone

Overlays:

Acreage:

RRFF5

2.82

Fire

Molalla RFPD #73

Park

**SCH 35 MOLALLA RIVER** School

Sewer Water

N/A N/A

Cable

Wave Broadband (Molalla)

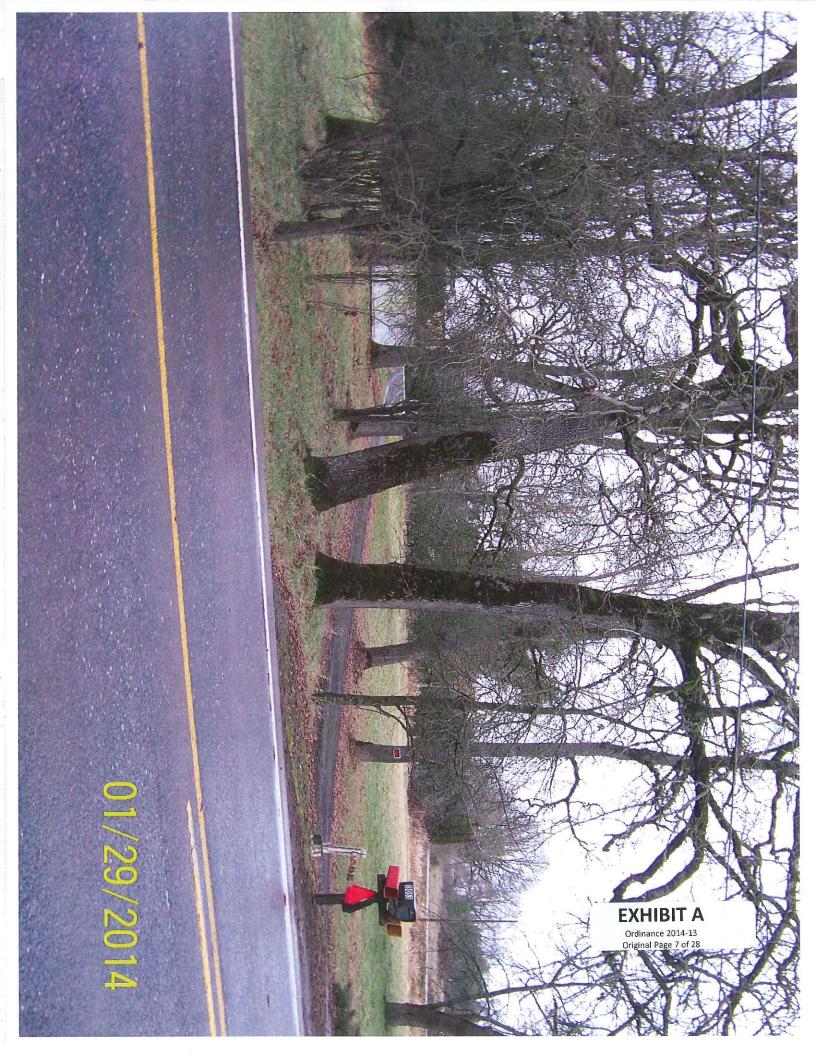
CPO

Molalla

Garb/Recyc City/County Molalla Sanitary Clackamas Co.

EXHIBIT A

Ordinance 2014-13 Original Page 6 of 28





## **Property Report**

#### **GREGORY VIRGIL F TRUSTEE** 9611 OLDE GEORGETOWN WAY **CENTERVILLE, OH 45458**

Site Address:

13143 S HWY 211

Taxlot Number:

52E07A 01600

Land Value:

**Building Value:** 

132780 107870

Total Value:

240650

Acreage:

Year Built:

1925

Sale Date:

09/13/2004

Sale Amount:

Sale Type:

S

Land Class:

401

**Building Class:** 

Neighborhood:

Molalla rural north all

Taxcode Districts: 035013

Site Characteristics:

Location Map:

UGB:

**MOLALLA** 

Not Available Flood Zone:

Zoning Designation(s):

Zone

Overlays:

Acreage:

RRFF5

9.84

Fire

Molalla RFPD #73

Park

N/A

School **SCH 35 MOLALLA RIVER** Sewer

Water

N/A N/A

Cable

Wave Broadband (Molalla)

CPO

Molalla

Garb/Recyc City/County Molalla Sanitary Clackamas Co.

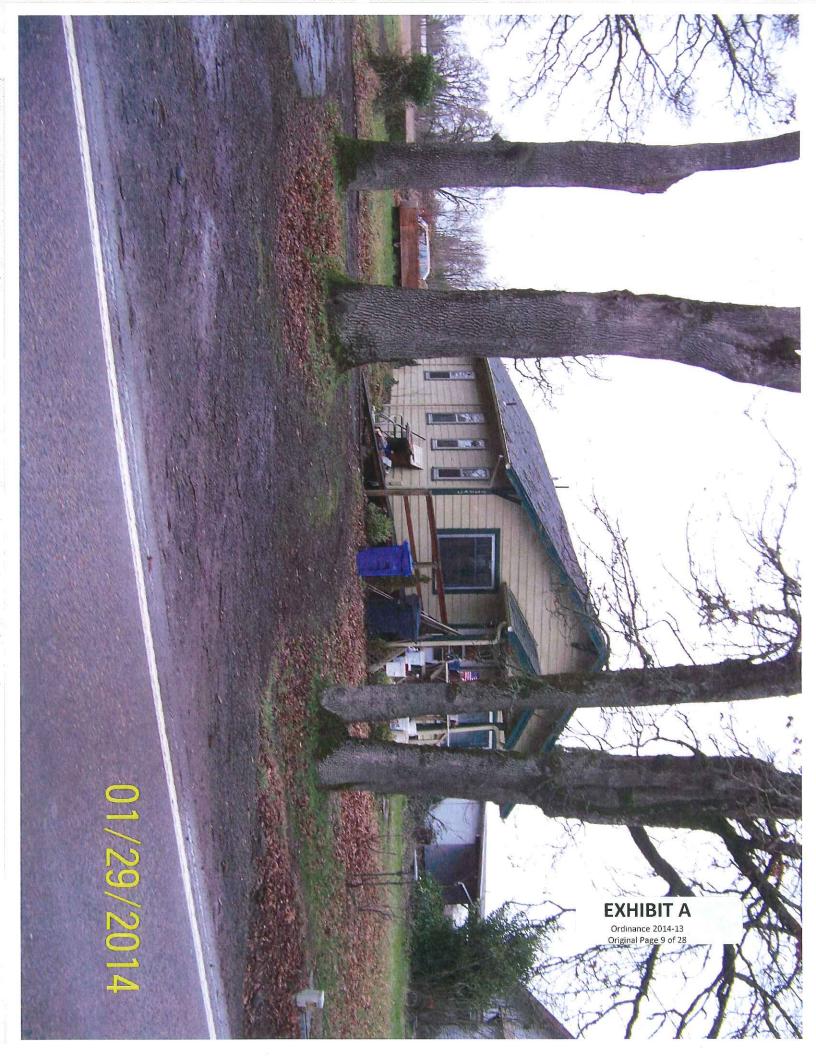
**EXHIBIT A** 

Original Page 8 of 28

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.

Ordinance 2014-13

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### **Property Report**

WELLE JOSHUA R & JAMIE N 13183 S HWY 211 MOLALLA, OR 97038

Site Address:

13183 S HWY 211

Taxlot Number:

52E08B 03202

Land Value:

82904

Building Value:

111950

Total Value:

194854

Acreage:

Year Built:

1938

Sale Date:

03/31/2006

Sale Amount:

350000

Sale Type:

S

Land Class:

101

**Building Class:** 

13

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035013

Site Characteristics:

Location Map:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

RRFF5

2.45

Fire

Molalla RFPD #73

Park

N/A

School Sewer

**SCH 35 MOLALLA RIVER** N/A

Water

N/A

Cable CPO

Wave Broadband (Molalla)

Garb/Recyc City/County Molalla

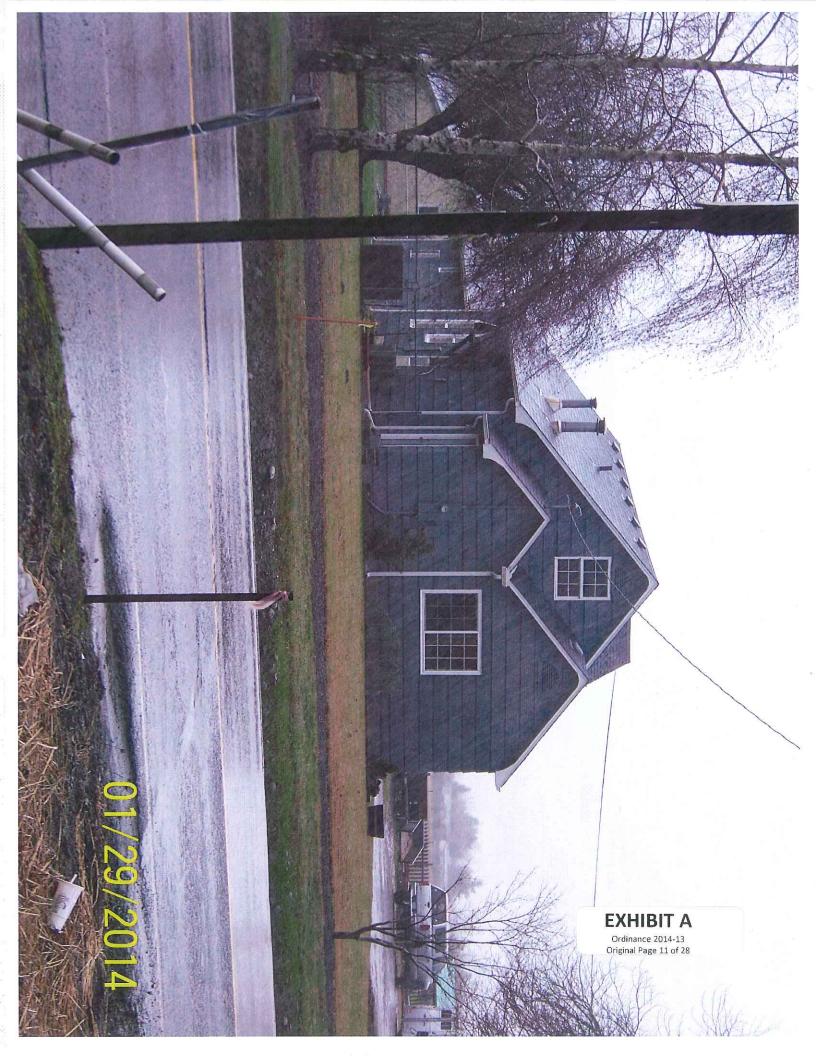
Molalla Sanitary Clackamas Co.

**EXHIBIT A** 

Ordinance 2014-13 Original Page 10 of 28

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## **Property Report**

WELLE JOSHUA R & JAMIE N 13183 S HWY 211 MOLALLA, OR 97038

Site Address:

NO SITUS

Taxlot Number:

52E08B 03201

Land Value: Building Value:

65897 0

Total Value:

65897

Acreage:

Year Built:

Sale Date:

03/31/2006

0

M

Sale Amount:

Sale Type:

Land Class:

100

**Building Class:** 

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035013

Location Map:

Site Characteristics:

UGB:

MOLALLA

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

RRFF5

1.67

Fire

Molalla RFPD #73

Park

N/A

School **SCH 35 MOLALLA RIVER** N/A Sewer

Water Cable

N/A

CPO

Wave Broadband (Molalla)

Molalla

Garb/Recyc City/County

Molalla Sanitary Clackamas Co.

**EXHIBIT A** 

Ordinance 2014-13 Original Page 12 of 28





## **Property Report**

WELLE JOSHUA R & JAMIE N 13183 S HWY 211 MOLALLA, OR 97038

Site Address:

13183 S HWY 211

Taxlot Number:

52E08B 03203

Land Value:

77777

Building Value:

73090

Total Value:

150867

Acreage:

Year Built:

Sale Date:

03/31/2006

Sale Amount: Sale Type:

X

Land Class:

**Building Class:** 

Neighborhood:

Area 02 commercial

Taxcode Districts: 035013

Site Characteristics:

Location Map:

**MOLALLA** 

Flood Zone:

Zoning Designation(s):

Zone

Overlays:

Acreage:

RRFF5

UGB:

Not Available

0.71

(211

Fire

Molalla RFPD #73

Park School N/A **SCH 35 MOLALLA RIVER** 

Sewer

N/A N/A

Water

Wave Broadband (Molalla)

Cable CPO

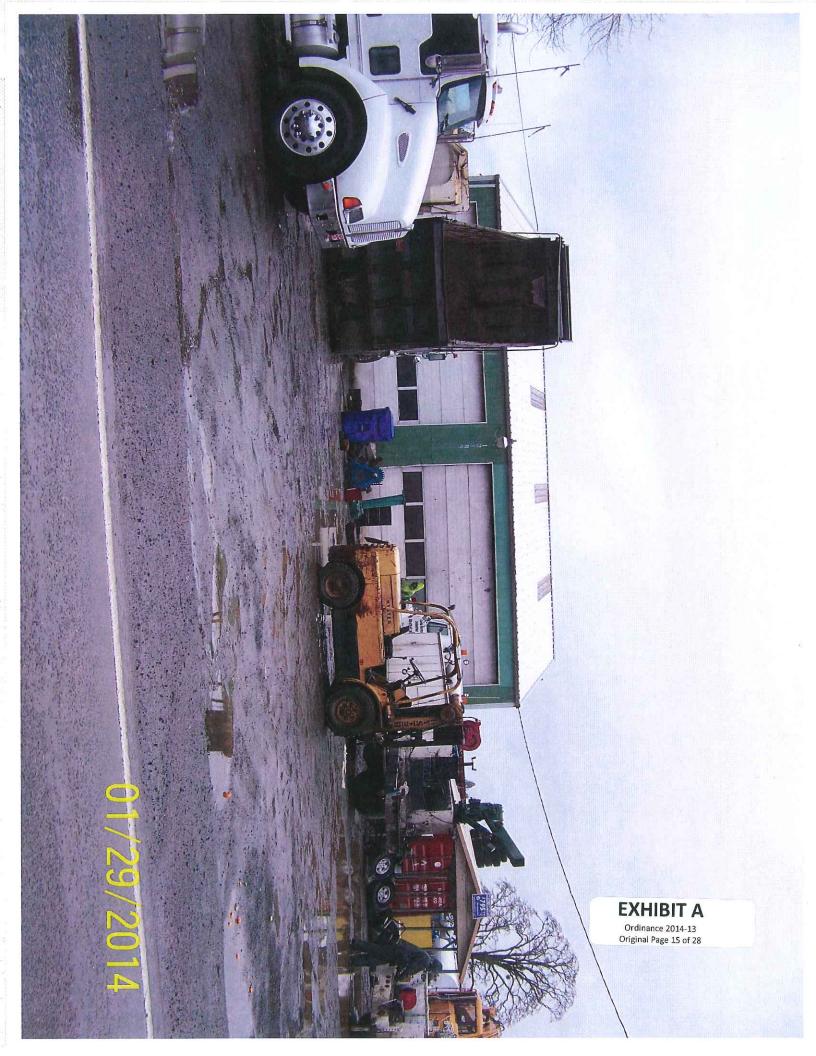
Molalla

Garb/Recyc City/County

Molalla Sanitary Clackamas Co.

**EXHIBIT** A

Ordinance 2014-13 Original Page 14 of 28





### **Property Report**

**WILLMSCHEN GLEN A & E LOUISE** 13263 S HWY 211 MOLALLA, OR 97038

Site Address:

13263 S HWY 211

Taxlot Number:

52E08B 03300

Land Value:

74416

Building Value:

71320

Total Value:

145736

Acreage:

Year Built:

1960

0

Sale Date:

Sale Amount:

Sale Type:

Land Class:

101

**Building Class:** 

12

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035013

Fire

Molalla RFPD #73

Park School N/A

Sewer

N/A N/A

Water Cable

Wave Broadband (Molalla)

SCH 35 MOLALLA RIVER

CPO

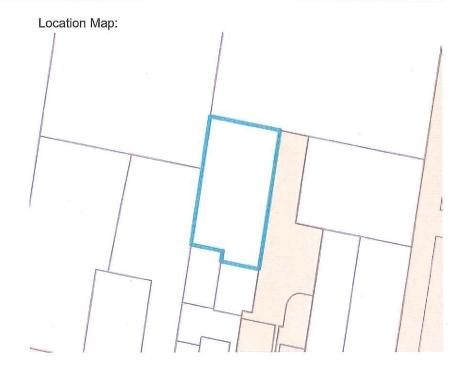
Molalla

Garb/Recyc

Molalla Sanitary

City/County

Clackamas Co.



Site Characteristics:

UGB:

MOLALLA

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

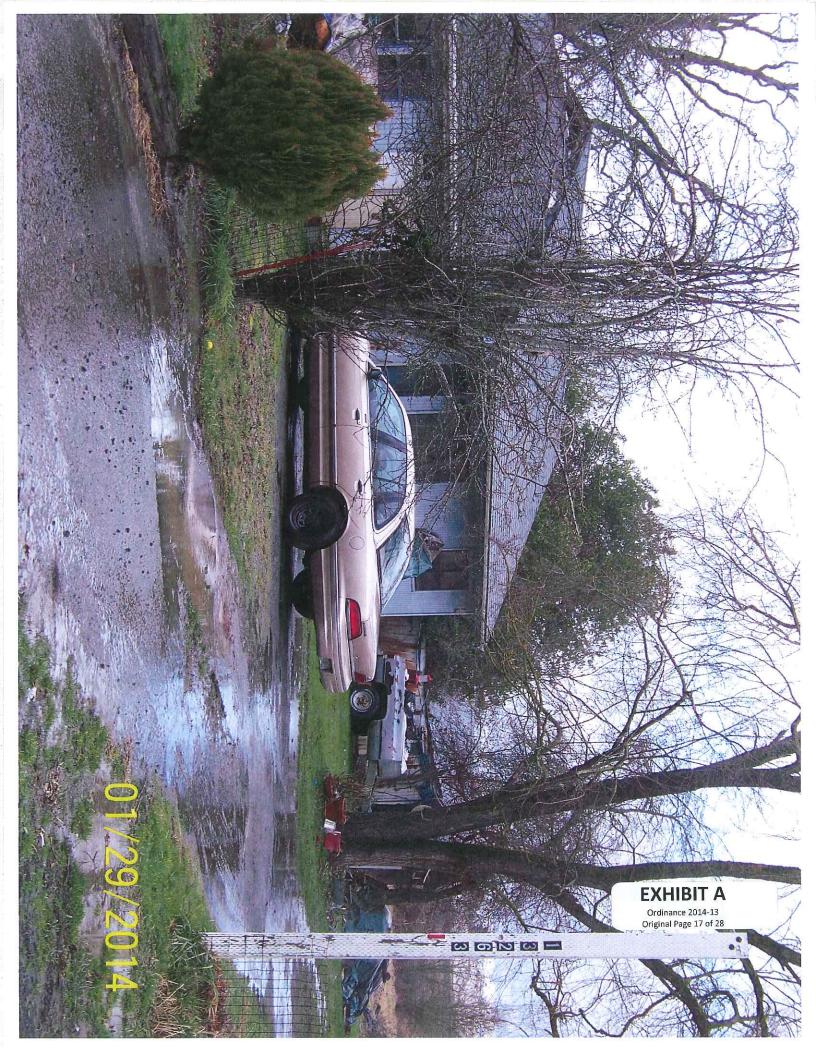
Acreage:

RRFF5

1.32

EXHIBIT A

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## **Property Report**

**KESLAR BRIAN A** 823 S TOLIVER RD MOLALLA, OR 97038

Site Address:

13261 S HWY 211

Taxlot Number:

52E08B 03400

Land Value:

52872

Building Value:

68860

Total Value:

121732

Acreage:

Year Built:

1957

Sale Date:

02/27/2008

Sale Amount:

Sale Type:

0

Land Class:

**Building Class:** 

13

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035013

Site Characteristics:

Location Map:

UGB:

MOLALLA

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

NHEZZIELN

RRFF5

0.26

Fire

Molalla RFPD #73

Park

N/A

School

**SCH 35 MOLALLA RIVER** 

Sewer

N/A

Water Cable N/A Wave Broadband (Molalla)

CPO

Molalla

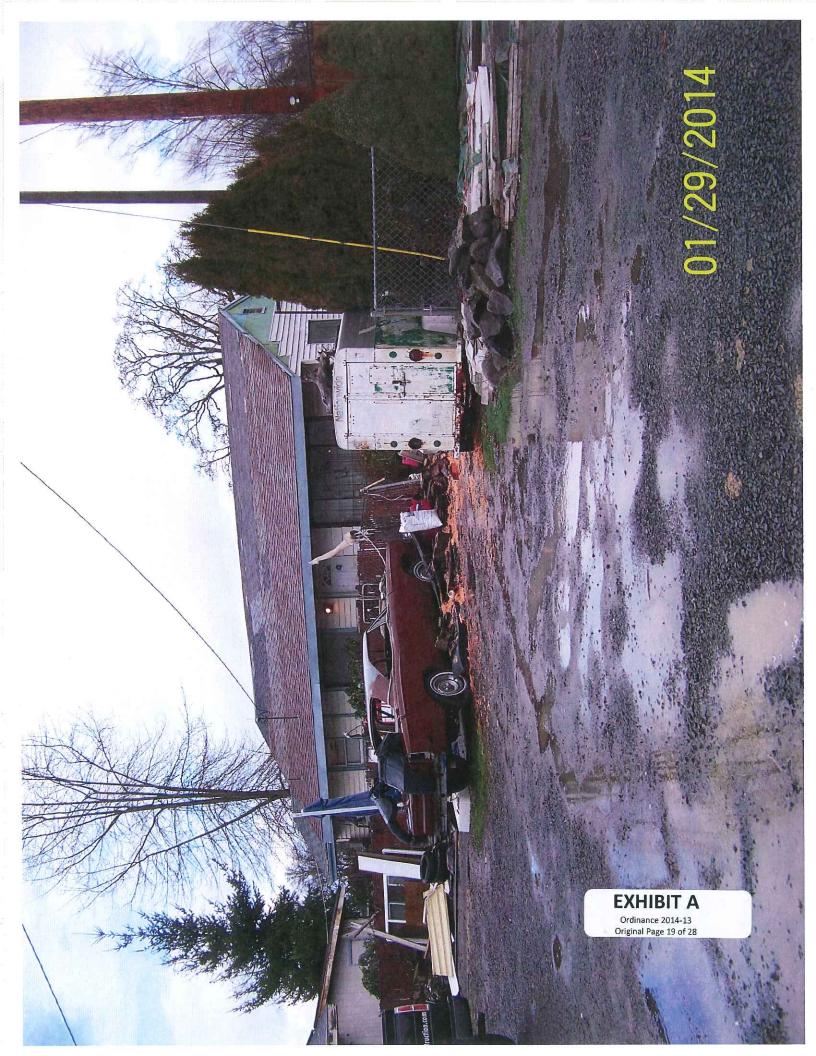
Molalla Sanitary

Garb/Recyc City/County

Clackamas Co.

**EXHIBIT A** 

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#### **Property Report**

**TURCOL TOM & JEAN** 2455 NE SPRUCE GRESHAM, OR 97080

Site Address:

13257 S HWY 211

Taxlot Number:

52E08B 03500

Land Value:

67210

**Building Value:** 

206200

Total Value:

273410

Acreage:

Year Built:

2000

Sale Date:

07/01/1992

Sale Amount:

54000

Sale Type:

Land Class:

101

**Building Class:** 

232

Neighborhood:

Area 02 plexes except

Taxcode Districts: 035013

Site Characteristics:

Location Map:

UGB:

MOLALLA

Flood Zone:

Not Available

Zoning Designation(s):

Zone

211

Overlays:

Acreage:

NHEZZIELN

RRFF5

0.25

Fire

Molalla RFPD #73

Park

N/A

SCH 35 MOLALLA RIVER School N/A

Sewer

Water

N/A

Cable

Wave Broadband (Molalla)

CPO

Molalla

Garb/Recyc City/County Molalla Sanitary Clackamas Co.

EXHIBIT A

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This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.

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## **Property Report**

#### **MATVEEV TROFIM** 13241 S HWY 211 MOLALLA, OR 97038

Site Address:

13241 S HWY 211

Taxlot Number:

52E08B 03600

Land Value:

78679

**Building Value:** 

142230

Total Value:

220909

Acreage:

Year Built:

1960

Sale Date:

12/29/2008

Sale Amount:

295000

Sale Type:

S

Land Class:

101

**Building Class:** 

232

Neighborhood:

Area 02 plexes except

Taxcode Districts: 035013

Site Characteristics:

Location Map:

UGB:

MOLALLA

Flood Zone:

Not Available

Zoning Designation(s):

Zone

211

Overlays:

Acreage:

NHEZZIELN

RRFF5

0.32

Fire

Molalla RFPD #73

Park

N/A

SCH 35 MOLALLA RIVER School

Sewer Water

N/A N/A

Cable

Wave Broadband (Molalla)

CPO

Molalla

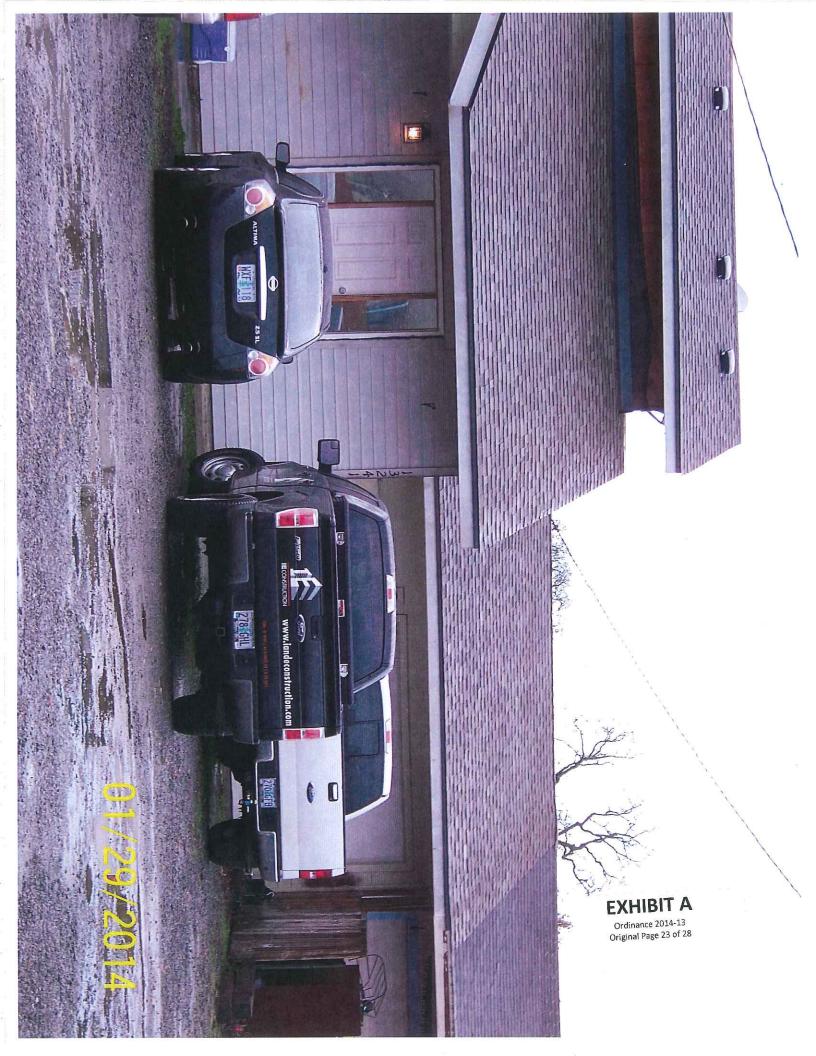
Garb/Recyc City/County Molalla Sanitary Clackamas Co.

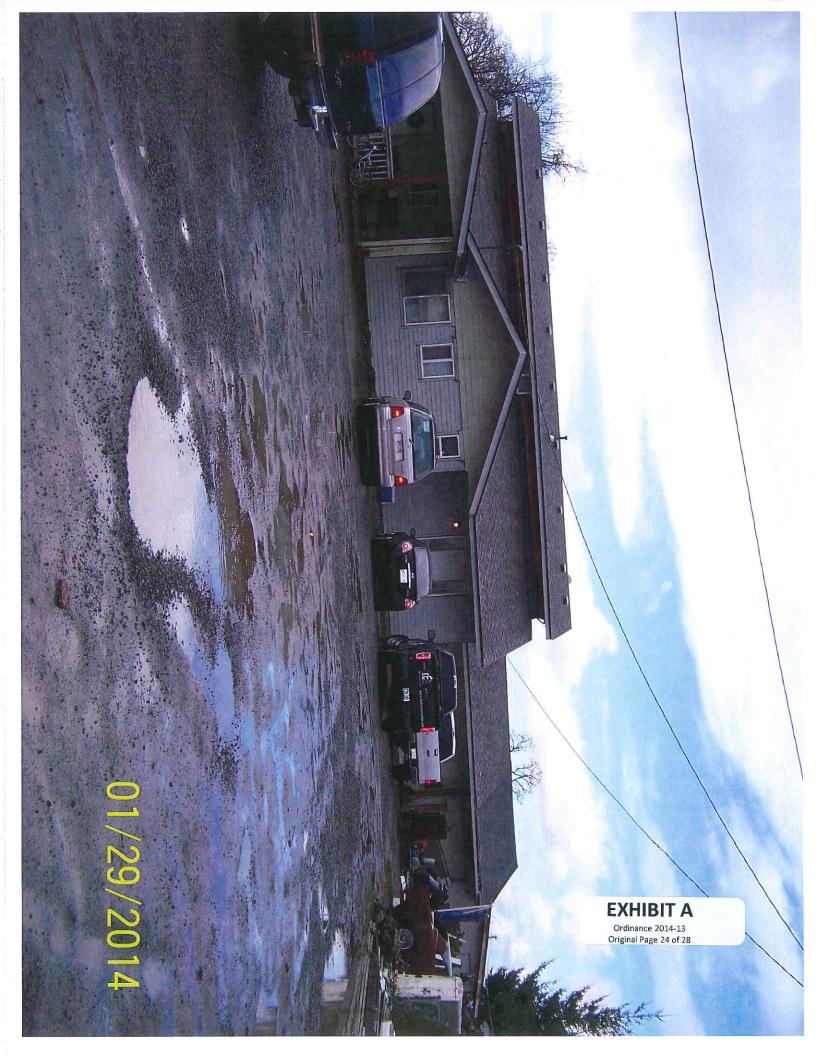
**EXHIBIT A** 

Ordinance 2014-13 Original Page 22 of 28

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## **Property Report**

**RICKLES MICHELLE PO BOX 511** MOLALLA, OR 97038

Site Address:

13341 S HWY 211

Taxlot Number:

52E08B 03700

Land Value:

43539

Building Value:

93830

Total Value:

137369

Acreage:

Year Built:

1959

Sale Date:

03/30/2006

Sale Amount:

149467

Sale Type:

Land Class:

101

Building Class:

13

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035013

Site Characteristics:

Location Map:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

211

Zone

Overlays:

Acreage:

RRFF5

0.12

Fire

Molalla RFPD #73

Park School

N/A

**SCH 35 MOLALLA RIVER** N/A

Sewer

N/A

Water Cable

Wave Broadband (Molalla)

CPO

Molalla

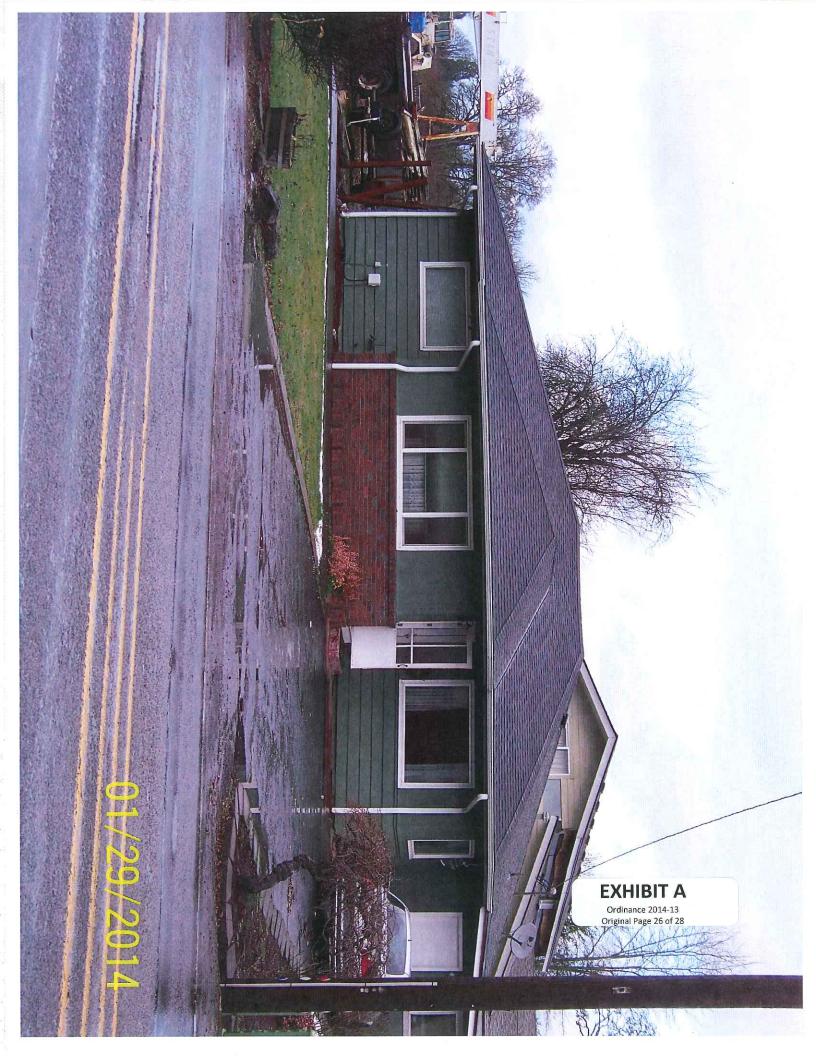
Garb/Recyc City/County **Molalla Sanitary** Clackamas Co.

**EXHIBIT A** 

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This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.

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## **Property Report**

DAY STEVEN I PO BOX 213 MOLALLA, OR 97038

Site Address:

13247 S HWY 211

Taxlot Number:

52E08B 03800

Land Value:

43539

**Building Value:** 

108830

Total Value:

152369

Acreage:

Year Built:

1952

Sale Date:

06/01/1994

Sale Amount:

84000

Sale Type:

Land Class:

101

**Building Class:** 

13

Neighborhood:

Molalla rural north 100,

Location Map:

Taxcode Districts: 035013

Site Characteristics:

UGB:

MOLALLA

Flood Zone:

Not Available

Zoning Designation(s):

Zone

211

Overlays:

Acreage:

NHEZZIELN

RRFF5

0.18

Fire

Molalla RFPD #73

Park

N/A

School **SCH 35 MOLALLA RIVER** 

Sewer

N/A

Water Cable

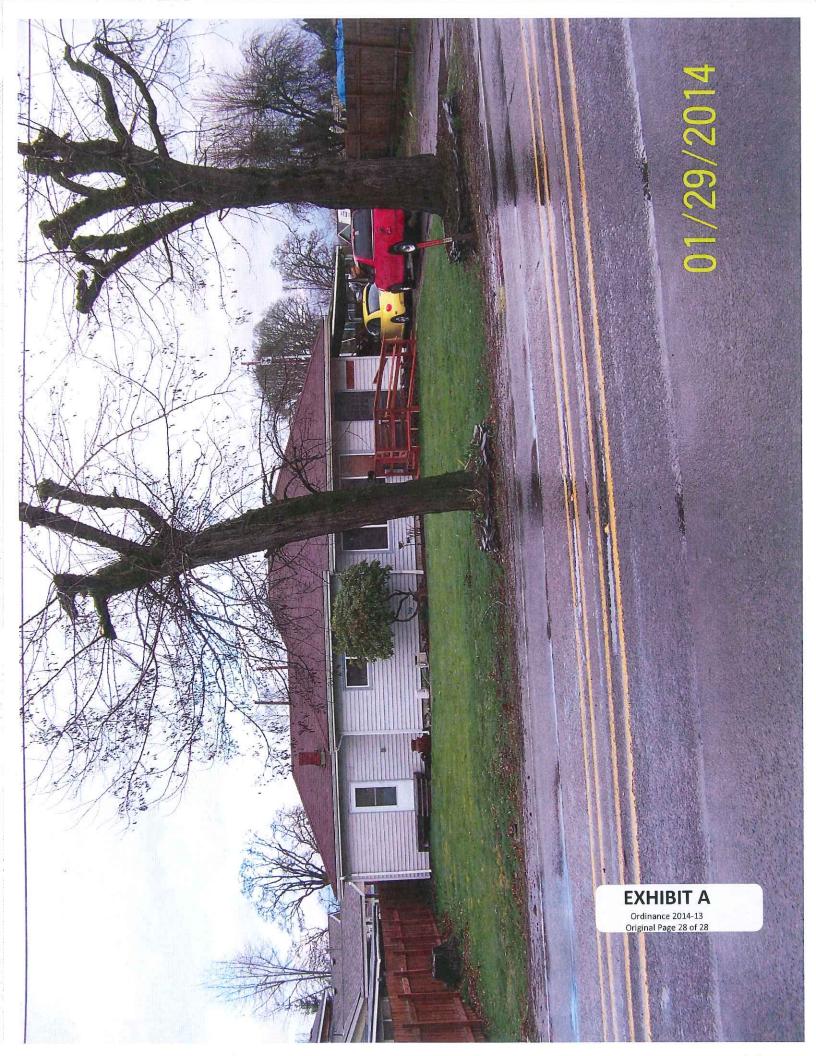
N/A Wave Broadband (Molalla)

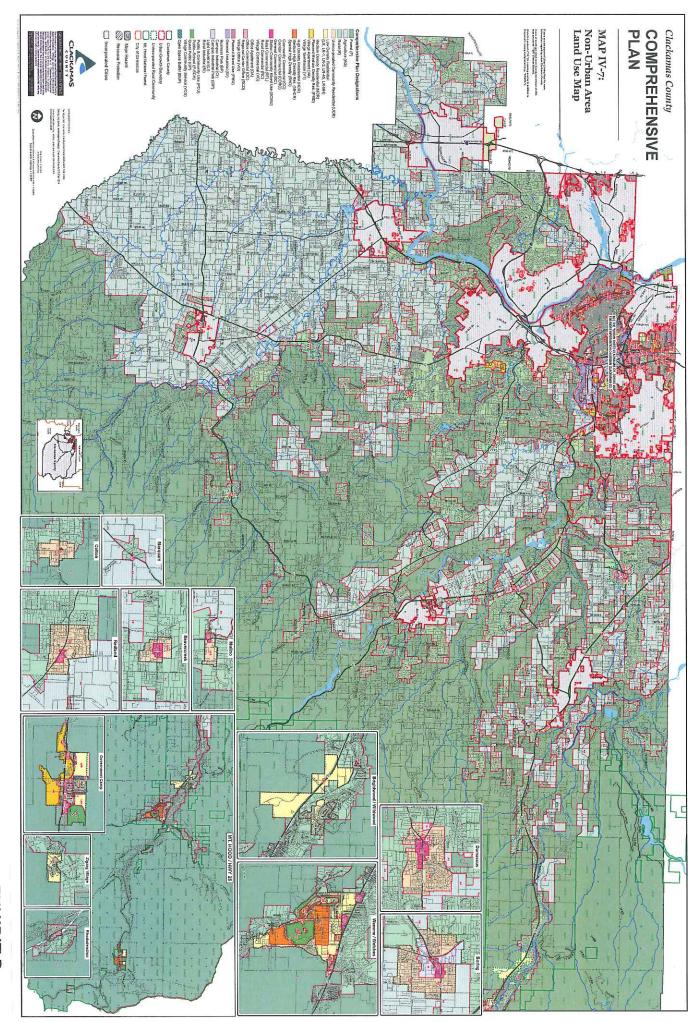
CPO Garb/Recyc City/County Molalla

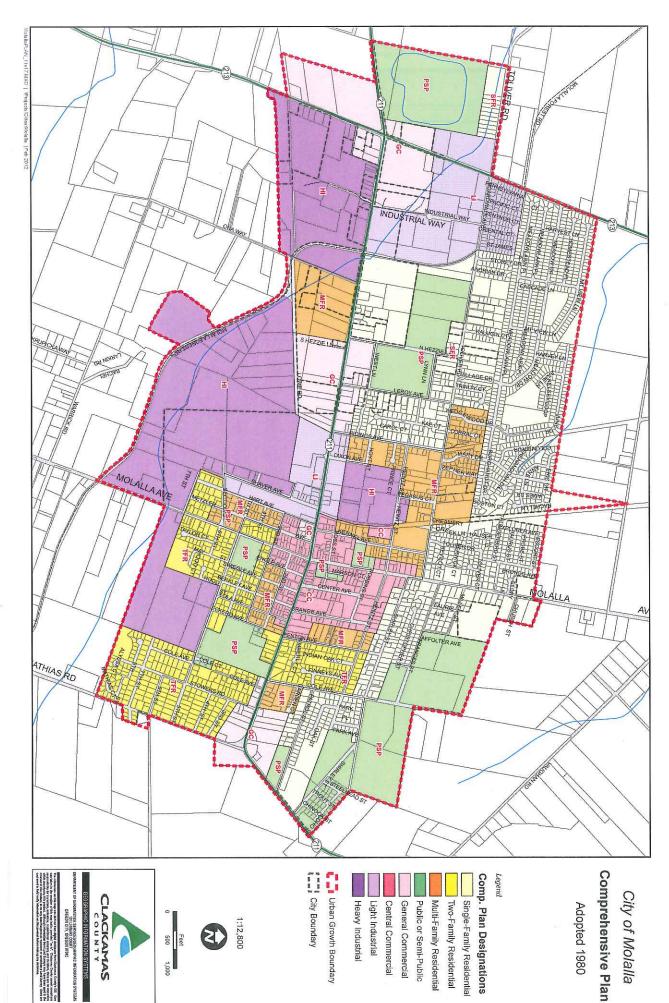
**Molalla Sanitary** Clackamas Co.

**EXHIBIT A** 

Ordinance 2014-13 Original Page 27 of 28









#### CITY OF MOLALLA

#### **ORDINANCE No. 2014 - 14**

# AN ORDINANCE ANNEXING ISLAND TERRITORY INTO THE CITY OF MOLALLA, WITHDRAWING THE TERRITORY FROM SPECIAL DISTRICTS, AMENDING THE COMPREHESIVE PLAN AND REZONING PROPERTY.

**WHEREAS**, pursuant to ORS 222.750, the City of Molalla ("City") initiated annexation of territory surrounded by the corporate boundaries of the City (Case File No. P-6-2014);

**WHEREAS**, the City notified affected property owners and others entitled to notice under the City's code and notified the state of its intent to annex such territory;

**WHEREAS**, on June 4, 2014, the Molalla Planning Commission held a duly noticed public hearing to consider the annexation of several islands surrounded by the City's corporate boundaries;

WHEREAS, the planning commission recommended the Molalla City Council annex the islands in accordance with the City's code and state law; and

**WHEREAS**, the city council held a public hearing on July 9, 2014 and decided to annex the islands, withdraw the islands from certain districts, amend the properties' comprehensive plan designations and change the zoning on the properties from county to city zoning.

**NOW, THEREFORE,** the City of Molalla ordains:

**Section 1.** The real properties that are the subject of this ordinance are located in a Tract of land being all of that Tract of land described in that Deed recorded as Document No. 2004-081919, Clackamas County Deed Records, all of that Tract of land described in that Deed recorded as Document No. 93-01365, Clackamas County Deed Records, all of that Tract of land described in that Deed recorded as Document No. 2010-039333, and a portion of State Highway 211, and a portion of Hezzie road, being a portion of Tracts 23 and 26 of the Plat of "The Shaver Place", located in the Northwest one- quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon.:

Tax Lot No. 52E08B 04200

Tax Lot No. 52E08B 04100

Tax Lot No. 52E08B 04000

Tax Lot No. 52E08B 03100

Tax Lot No. 52E08B 03200

These properties are annexed into the City of Molalla. A meets and bounds legal description, surveyor's map, current Clackamas County Property Report and a time stamped photo of the property are attached and incorporated as Exhibit A.

**Section 2.** The existing Clackamas County comprehensive plan designation, R (Rural Residential), is changed to a City plan designation of SFR (Single Family Residential). This change is supported by findings, attached and incorporated as Exhibit B.

**Section 3.** The existing Clackamas County zoning for the affected properties, RRFF5 (Rural, Residential, Farm/Forest, 5-acre Minimum Lot Size) is changed to R-1 (Single Family Residential). The properties are currently:

Tax Lot No. 52E08B 04200 Residential – In Use Tax Lot No. 52E08B 04100 Residential – In Use Tax Lot No. 52E08B 04000 Residential – In Use Tax Lot No. 52E08B 03100 Undeveloped Tax Lot No. 52E08B 03200 Undeveloped

**Section 4.** The territory is withdrawn from the following service/special districts: None noted.

**Section 5.** Lawfully established land uses occurring on or within the annexed territory may continue and will be treated as nonconforming uses after the effective date of annexation to the City.

Section 6. The Molalla City Recorder shall:

- 1. Mail a copy of this ordinance and attachments to the Oregon Department of Revenue;
- 2. Mail a copy of this ordinance to Clackamas County and all affected service districts;
- 3. Mail a copy of this ordinance to the Oregon Department of Land Conservation and Development, together with the appropriate forms required by the department; and
- 4. If the property owner of the annexed territory appeared before the planning commission or city council, mail a notice to the property owner summarizing this ordinance and describing the owner's right to appeal this decision.

Adopted this 9th day of July by the City Co nays.	ouncil of the City of Molalla on a vote of	ayes and
	Mayor Deborah Rogge	
Attest this 9th day of July 2014		
City Recorder Sadie Cramer		

### **ZTec Engineers, Inc.**

Civil ♦ Structural ♦ Surveying

John McL. Middleton, P.E.

Chris C. Fischborn, P.L.S. 3737 SE 8<sup>th</sup> Ave. Portland, OR 97202 503-235-8795 FAX: 503-233-7889

Email: chris@ztecengineers.com

22

Ronald b. Sellards, P.E.

13307 & 13325 State Highway 211 And Tax Lots 3100, 3200, & 4000 on Tax Map 5S2E08B

A Tract of land being all of that tract of land described in that Deed recorded as Document No. 2004-081919, Clackamas County Deed Records, all of that tract of land described in that Deed recorded as Document No. 93-01365, Clackamas County Deed Records, all of that Tract of land described in that Deed recorded as Document No. 2010-039333, all of that tract of land described in that deed recorded as Document no. 2006-118242, Clackamas County Deed Records, and a portion of State Highway 211, and a portion of Hezzie road, being a portion of Tracts 23 and 26 of the Plat of "The Shaver Place", located in the Northwest one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon. Said Tract of land being more particularly described as follows:

Beginning at a 5/8 inch iron rod with a red plastic cap stamped "Centerline Concepts, Inc.", found at the Southeasterly corner of Parcel 2 of Partition Plat No. 2003-071, said point being on the Northerly right of way line of said State Highway 211; thence North 08°00′34″ East, along the Easterly line of said Partition Plat No. 2003-071, a distance of 400.00 feet to an angle point in said Easterly line; thence North 82°11′30″ West, a distance of 75.04 feet to an angle point in said Easterly line; thence North 08°00′34″ East, along said Easterly line, a distance of 199.85 feet to the Northeasterly corner of said Parcel 2; thence North 82°11′30″ West, along the Northerly line of said Partition Plat No. 2003-071 and its Westerly extension, a distance of 264.14 feet to the Northwesterly corner of that tract of land described in that deed recorded as Document No. 72-32514, Clackamas County Deed Records, thence South 08°00′34″ West, along the Westerly line of said Document No. 72-32514 tract, a distance of 121.07 feet to the Northeasterly corner of that tract of land described in that deed recorded as Parcel 2 of Document No. 2006-030379, Clackamas County Deed Records, thence North 82°21′20″ West, along the Northerly line of said Parcel 2 and along the Northerly line of that tract of land described in that deed recorded as Document No. 2006-030377, Clackamas County Deed Records, a distance of 440.70 feet to the

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON JULY 17, 1981 CHRIS FISCHBORN

1944

**EXHIBIT A** 

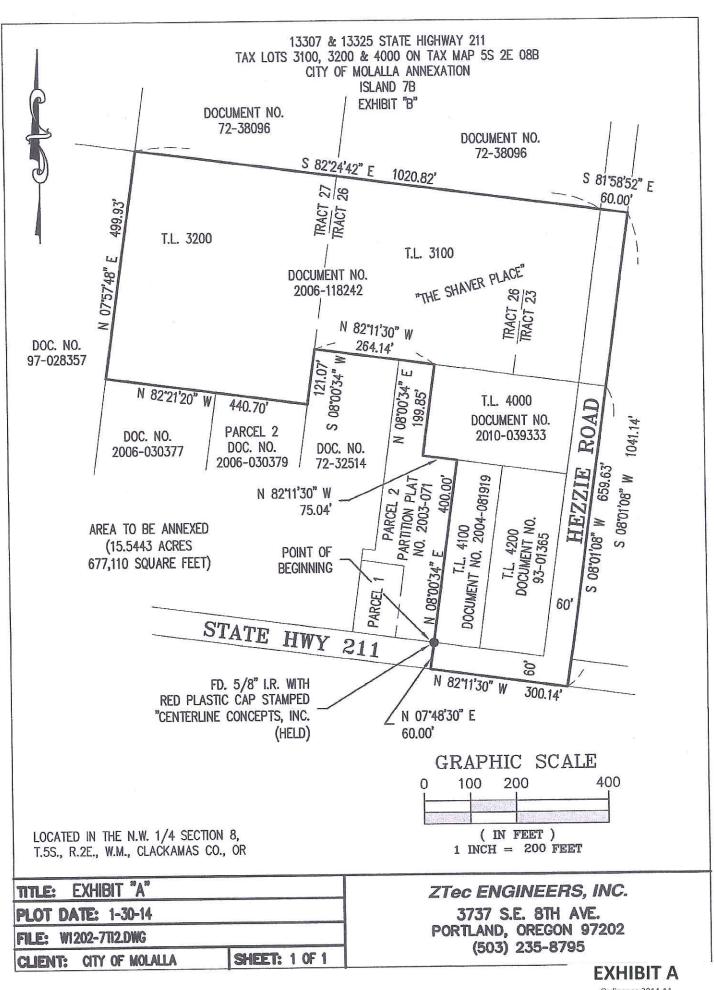
Ordinance 2014-14 Original Page 1 of 13 Northwesterly corner of said Document No. 2006-030377 tract; thence North 07 57'48" East along the Westerly line of said Document No. 2006-118242 tract. a distance of 499.93 feet to the Northwesterly corner thereof; thence South 82°24'42" East, along the Northerly line of said Document No. 2006-118242, a distance of 1020.82 feet to a point on the Westerly right of way line of said Hezzie Road; thence South 81°58'52" East, at right angles to said Hezzie Road, a distance of 60.00 feet to a point on the Easterly right of way line of said Hezzie Road; thence South 08°01'08" West, along said Easterly right of way line and its Southerly extension a distance of 1041.14 feet to a point on the Southerly right of way line of said State Highway 211; thence North 82°11'30" West, along said Southerly right of way line, a distance of 300.14 feet to a point; thence North 07°48'30" East, at right angles to said State Highway 211, a distance of 60.00 feet to the true point of beginning of the Tract of land herein described.

Said Tract of land contains an area of 15.5443 Acres (677,110 square feet) more or less.

The bearings and distances in this description are based on Clackamas County Partition Plat No. 2003-071.

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 17, 1991
CHRIS FISCHBORN
1944





## **Property Report**

WEST LN

HANSEN CEDRIC H & DOROTHY L L-EST 13325 S HWY 211 MOLALLA, OR 97038

Site Address:

13325 S HWY 211

Taxlot Number:

52E08B 04200

Land Value:

74895

**Building Value:** 

152560

Total Value:

227455

Acreage:

Year Built:

1950

Sale Date:

12/01/1992

Sale Amount:

82248

Sale Type:

Land Class:

101

**Building Class:** 

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035013

Site Characteristics:

Location Map:

UGB:

**MOLALLA** 

211

Flood Zone:

Not Available

Zoning Designation(s):

Zone

HEZZIELN

Overlays:

Acreage:

RRFF5

1.27

Fire

Molalla RFPD #73

Park

School **SCH 35 MOLALLA RIVER** N/A Sewer

Water

N/A

Cable

Wave Broadband (Molalla)

CPO

Molalla

Garb/Recyc City/County Molalla Sanitary Clackamas Co.

**EXHIBIT A** 

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## **Property Report**

WESTLN

CRUIKSHANK CURTIS D & JOYCE L 13303 S HWY 211 MOLALLA, OR 97038

Site Address:

13303 S HWY 211

Taxlot Number:

52E08B 04100

Land Value:

67806

**Building Value:** 

Total Value:

128970 196776

Acreage:

Year Built:

1942

Sale Date:

08/23/2004

Sale Amount:

191900

Sale Type:

Land Class:

101

**Building Class:** 

13

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035013

Location Map:

Site Characteristics:

UGB:

MOLALLA

Flood Zone:

Not Available

Zoning Designation(s):

NHEZZIELN

Zone

Overlays:

Acreage:

RRFF5

0.92

Fire

Molalia RFPD #73

Park School N/A **SCH 35 MOLALLA RIVER** 

Sewer

Water

N/A

Cable

N/A Wave Broadband (Molalla)

CPO

Molalla

Garb/Recyc City/County Molalla Sanitary Clackamas Co.

EXHIBIT A

Ordinance 2014-14 Original Page 6 of 13

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## **Property Report**

MCEACHRAN JOANN G 630 KALUGIN CT MOLALLA, OR 97038

Site Address:

430 S WEST LN

Taxlot Number:

52E08B 04000

Land Value:

78471

Building Value:

77120

Total Value:

155591

Acreage:

Year Built:

1954

Sale Date:

06/29/2010

Sale Amount:

Sale Type:

0 S

Land Class:

101

**Building Class:** 

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035013

WEST LN

Site Characteristics:

Location Map:

UGB:

MOLALLA

Flood Zone:

Not Available

Zoning Designation(s):

<u>Zone</u>

Overlays:

Acreage:

RRFF5

1.44

Fire

Molalla RFPD #73

Park

N/A

School Sewer

**SCH 35 MOLALLA RIVER** 

Water

N/A N/A

Cable

Wave Broadband (Molalla)

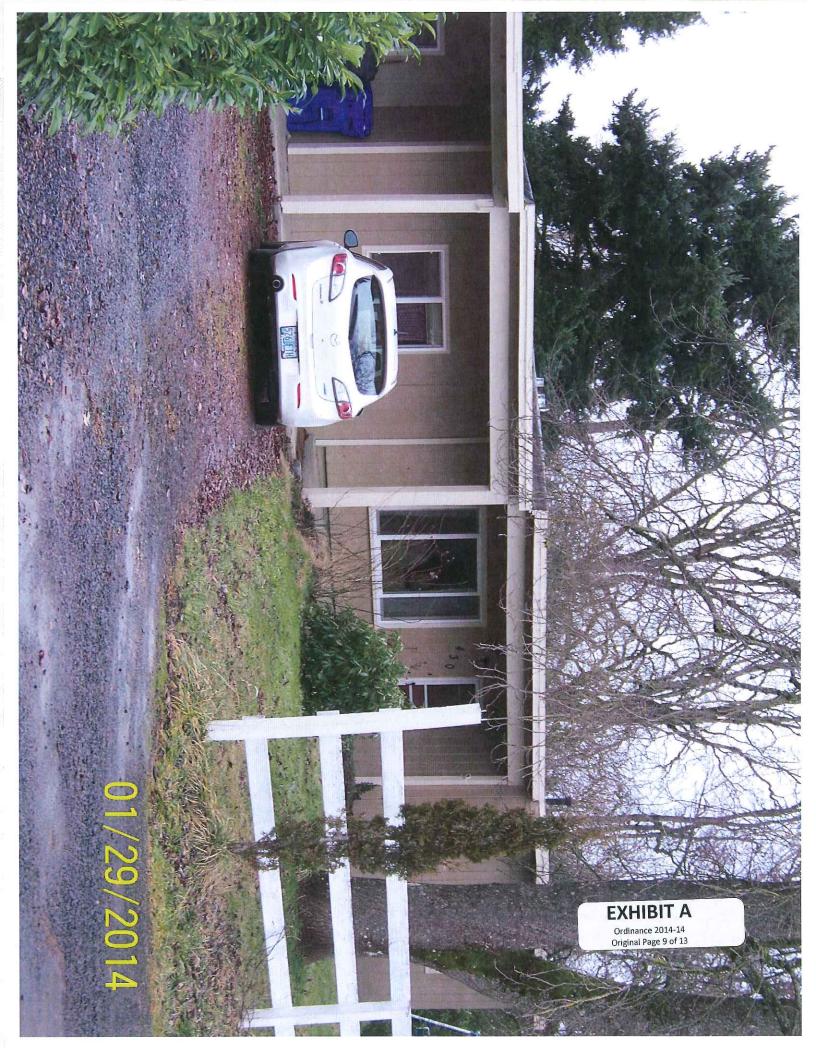
CPO

Molalla

Garb/Recyc City/County Molalla Sanitary Clackamas Co.

**EXHIBIT A** 

Ordinance 2014-14 Original Page 8 of 13





## **Property Report**

SLEDGE DEVELOPMENT LLC PO BOX 605 MOLALLA, OR 97038

Site Address:

**NO SITUS** 

Taxlot Number:

52E08B 03100

Taxiot Number.

Land Value: Building Value: 139800

Total Value:

139800

Acreage:

Year Built:

Sale Date:

12/26/2006

Sale Amount:

Sale Type: M

Land Class:

401

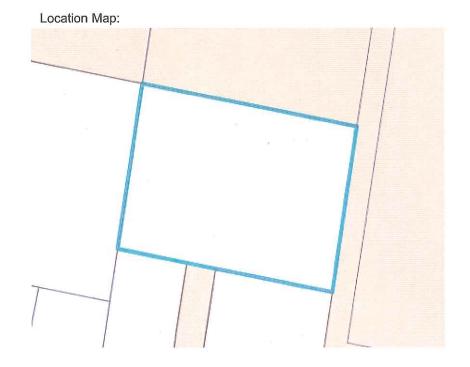
Building Class:

Neighborhood:

City of Molalla all other

Taxcode Districts:

035002



Site Characteristics:

UGB:

Flood Zone:

MOLALLA Not Available Zoning Designation(s):

Zone

Overlays:

Acreage:

RRFF5

5.05

Fire

Molalla RFPD #73

Park N School S

N/A

**SCH 35 MOLALLA RIVER** 

Sewer

N/A

Water Cable N/A Wave Broadband (Molalla)

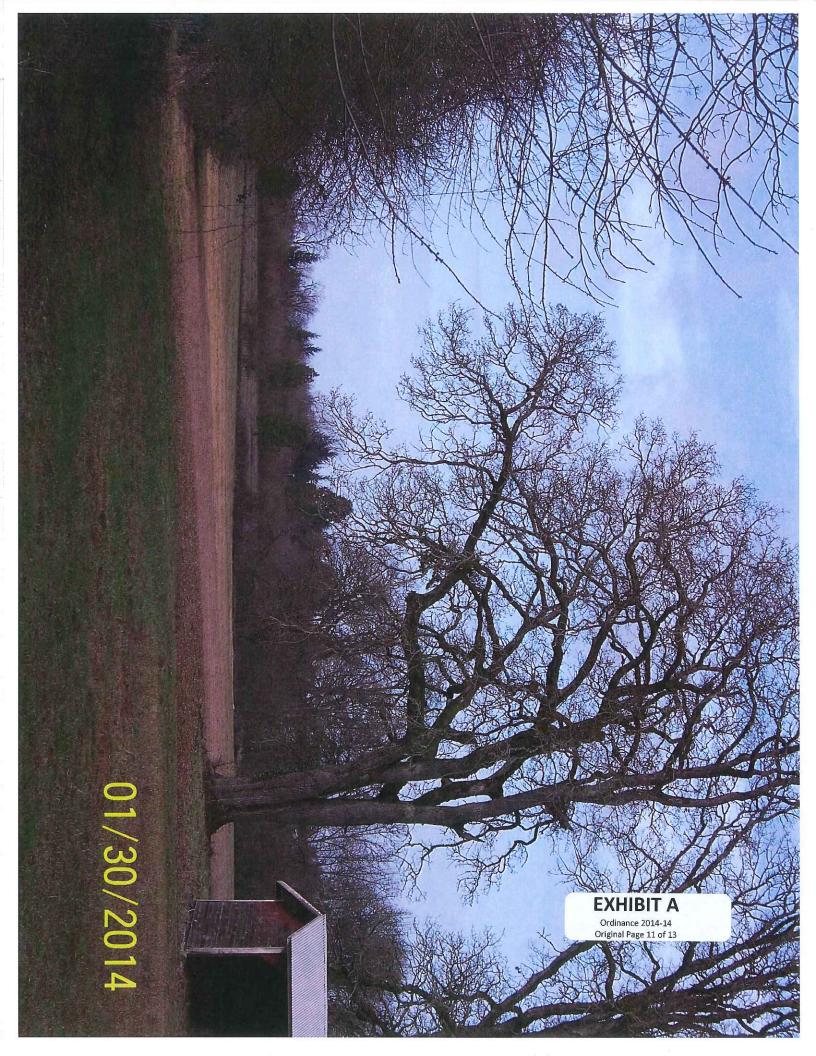
CPO

Molalia

Garb/Recyc City/County Molalla Sanitary Clackamas Co.

**EXHIBIT A** 

Ordinance 2014-14 Original Page 10 of 13





## **Property Report**

SLEDGE DEVELOPMENT LLC PO BOX 605 MOLALLA, OR 97038

Site Address:

NO SITUS

Taxlot Number:

52E08B 03200

Land Value: Building Value: 139800

0

Total Value:

139800

Acreage:

Year Built:

Sale Date:

12/26/2006

Sale Amount:

Sale Type:

X

Land Class:

400

**Building Class:** 

Neighborhood:

City of Molalla all other

Taxcode Districts: 035002



Site Characteristics:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

RRFF5

5.05

Fire

Molalla RFPD #73

Park

**SCH 35 MOLALLA RIVER** 

School Sewer

Water

N/A

Cable

N/A

CPO

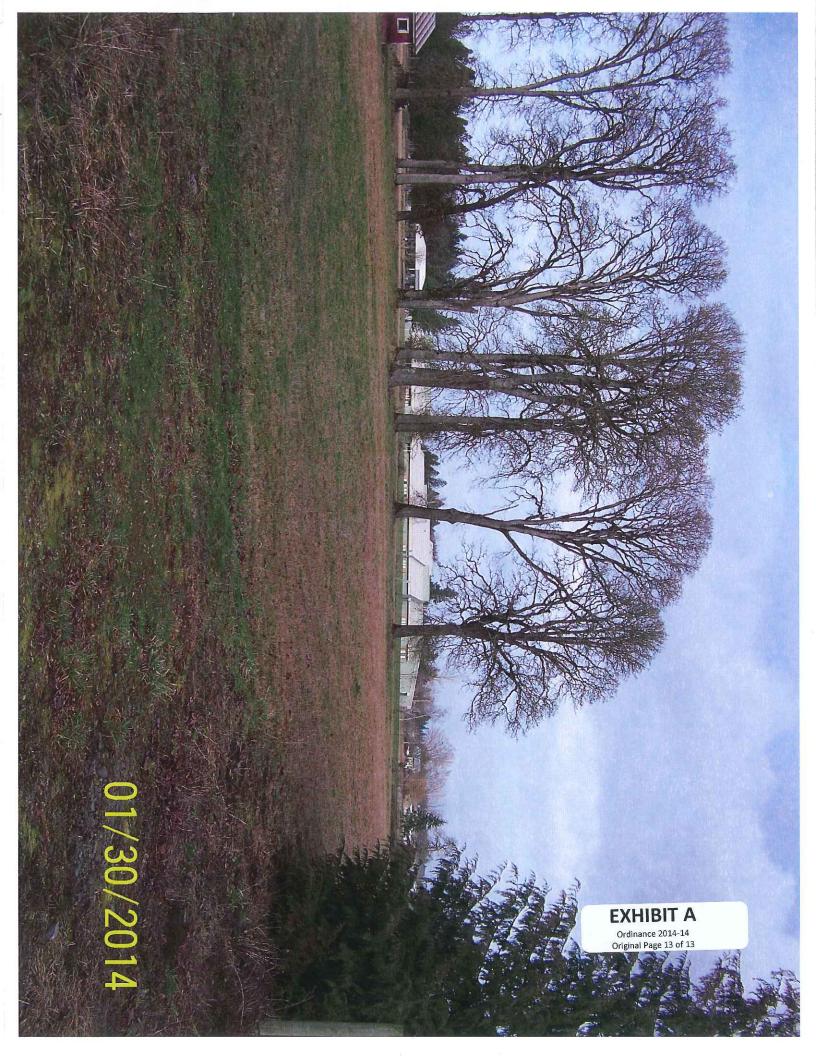
Wave Broadband (Molalla)

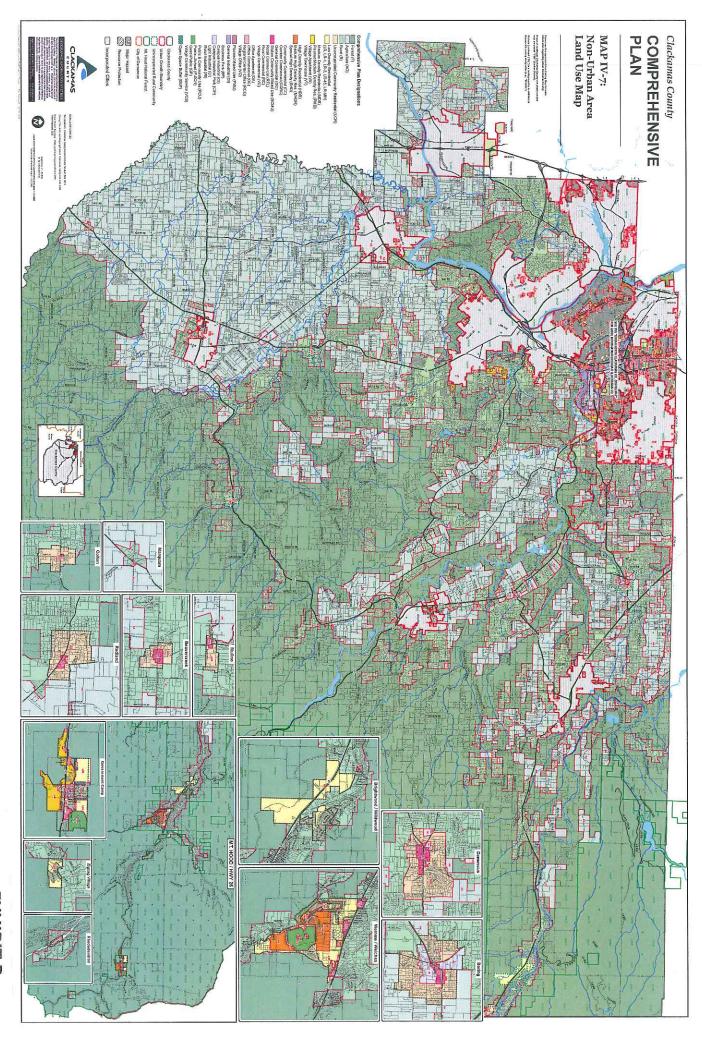
Molalla

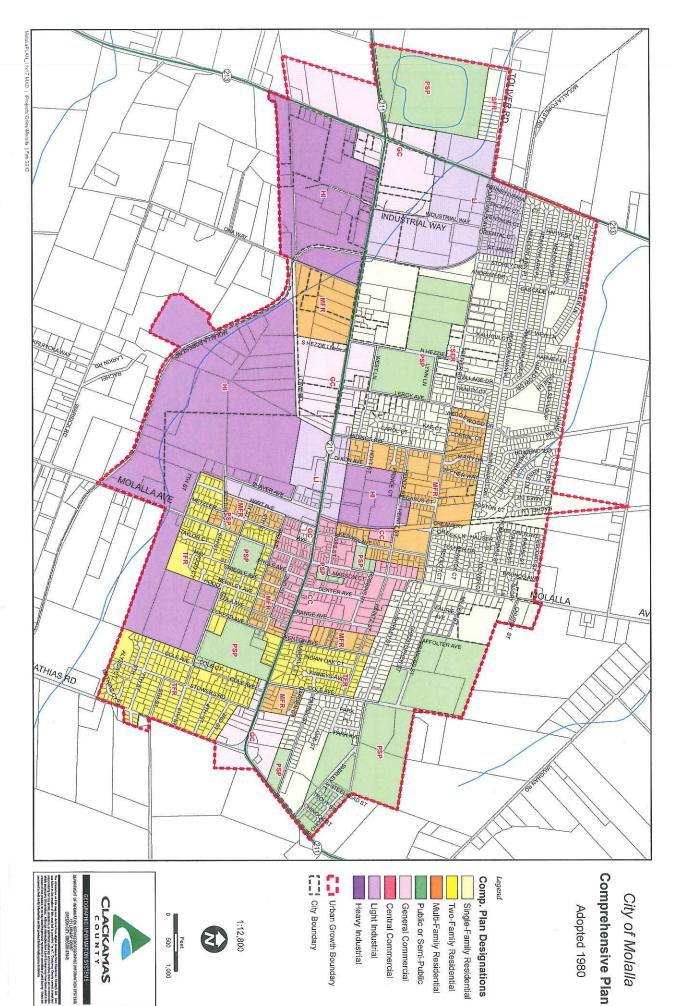
Garb/Recyc City/County Molalla Sanitary Clackamas Co.

**EXHIBIT A** 

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#### CITY OF MOLALLA

#### **ORDINANCE No. 2014 - 15**

# AN ORDINANCE ANNEXING ISLAND TERRITORY INTO THE CITY OF MOLALLA, WITHDRAWING THE TERRITORY FROM SPECIAL DISTRICTS, AMENDING THE COMPREHESIVE PLAN AND REZONING PROPERTY.

WHEREAS, pursuant to ORS 222.750, the City of Molalla ("City") initiated annexation of territory surrounded by the corporate boundaries of the City (Case File No. P-6-2014);

WHEREAS, the City notified affected property owners and others entitled to notice under the City's code and notified the state of its intent to annex such territory;

**WHEREAS**, on June 4, 2014, the Molalla Planning Commission held a duly noticed public hearing to consider the annexation of several islands surrounded by the City's corporate boundaries;

WHEREAS, the planning commission recommended the Molalla City Council annex the islands in accordance with the City's code and state law; and

WHEREAS, the city council held a public hearing on July 9, 2014 and decided to annex the islands, withdraw the islands from certain districts, amend the properties' comprehensive plan designations and change the zoning on the properties from county to city zoning.

**NOW, THEREFORE,** the City of Molalla ordains:

**Section 1.** The real properties that are the subject of this ordinance are located in a tract of land in that deed recorded as Document No. 91-50732, Clackamas County Deed Records, and all of that Tract of land described in that deed recorded as Document No. 82-10941, and a portion of State Highway 211, all located in the Southwest one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon:

Tax Lot No. 52E08C 00801

Tax Lot No. 52E08C 00900

These properties are annexed into the City of Molalla. A meets and bounds legal description, surveyor's map, current Clackamas County Property Report and a time stamped photo of the property are attached and incorporated as Exhibit A.

**Section 2.** The existing Clackamas County comprehensive plan designation, R (Rural Residential), is changed to a City plan designation of GC (General Commercial). This change is supported by findings, attached and incorporated as Exhibit B.

**Section 3.** The existing Clackamas County zoning for the affected property, RRFF5 (Rural, Residential, Farm/Forest, 5-acre Minimum Lot Size) is changed to C-2 (General Commercial).

The properties are currently:

Tax Lot No. 52E08C 00900

Residential – In Use

Tax Lot No. 52E08C 00801

Undeveloped

**Section 4.** The territory is withdrawn from the following service/special districts: None noted.

**Section 5.** Lawfully established land uses occurring on or within the annexed territory may continue and will be treated as nonconforming uses after the effective date of annexation to the City.

**Section 6.** The Molalla City Recorder shall:

- 1. Mail a copy of this ordinance and attachments to the Oregon Department of Revenue;
- 2. Mail a copy of this ordinance to Clackamas County and all affected service districts;
- 3. Mail a copy of this ordinance to the Oregon Department of Land Conservation and Development, together with the appropriate forms required by the department; and
- 4. If the property owner of the annexed territory appeared before the planning commission or city council, mail a notice to the property owner summarizing this ordinance and describing the owner's right to appeal this decision.

Adopted this 9th day of July by the City Counc nays.	cil of the City of Molalla on a vote of ayes and
	Mayor Deborah Rogge
Attest this 9th day of July 2014	
City Recorder Sadie Cramer	

### **ZTec Engineers, Inc.**

John McL. Middleton, P.E.

Civil \* Structural \* Surveying

Chris C. Fischborn, P.L.S. 3737 SE 8<sup>th</sup> Ave. Portland, OR 97202 503-235-8795

FAX: 503-233-7889 Email: chris@ztecengineers.com Ronald b. Sellards, P.E.

31615 S. Hezzie Ln. and Tax Lot 801 on Map 52E 08C Annexation to the City of Molalla

#### Exhibit A

A Tract of land being all of that Tract of land described in that deed recorded as Document No. 91-50732, Clackamas County Deed Records, and all of that Tract of land described in that deed recorded as Document No. 82-10941, and a portion of State Highway 211, all located in the Southwest one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon. Said Tract of land being more particularly described as follows:

Beginning at a point on the Southerly right of way line of State Highway 211 that is also on the Westerly boundary of said Document No. 91-50732 Tract, said point being South 81°30′00″ East a distance of 1055.60 feet and South 08°30′00″ West a distance of 30.00 feet from the Northwest corner of the Rachel Larkin Donation Land Claim No. 43; thence from said point of beginning, North 08°30′00″ East, at right angles to said State Highway 211, a distance of 60.00 feet to a point on the Northerly right of way line thereof; thence South 81°30′00″ East, along said Northerly right of way line, a distance of 100.00 feet; thence South 08°30′00″ West, at right angles to said State Highway 211, a distance of 60.00 feet to a point on said Southerly right of way line, said point also being on the Easterly boundary line of said Document No. 91-50732 Tract; thence along said Easterly boundary line and along the Easterly boundary line of said Document No. 82-10941 Tract, South 08°30′00″ West a distance of 240.00 feet to the Southerly line of said Document No. 82-10941 Tract; thence North 81°30′00″ West, along the Southerly line of said Document No. 82-10941 Tract, a distance of 100.00 feet to the Southwesterly corner thereof; thence North 08°30′00″ East, along the Westerly line of said Document No. 82-10941 Tract, and along the Westerly line of said Document No. 91-50732 Tract, a distance of 240.00 feet to the true point of beginning of the Tract of land herein described.

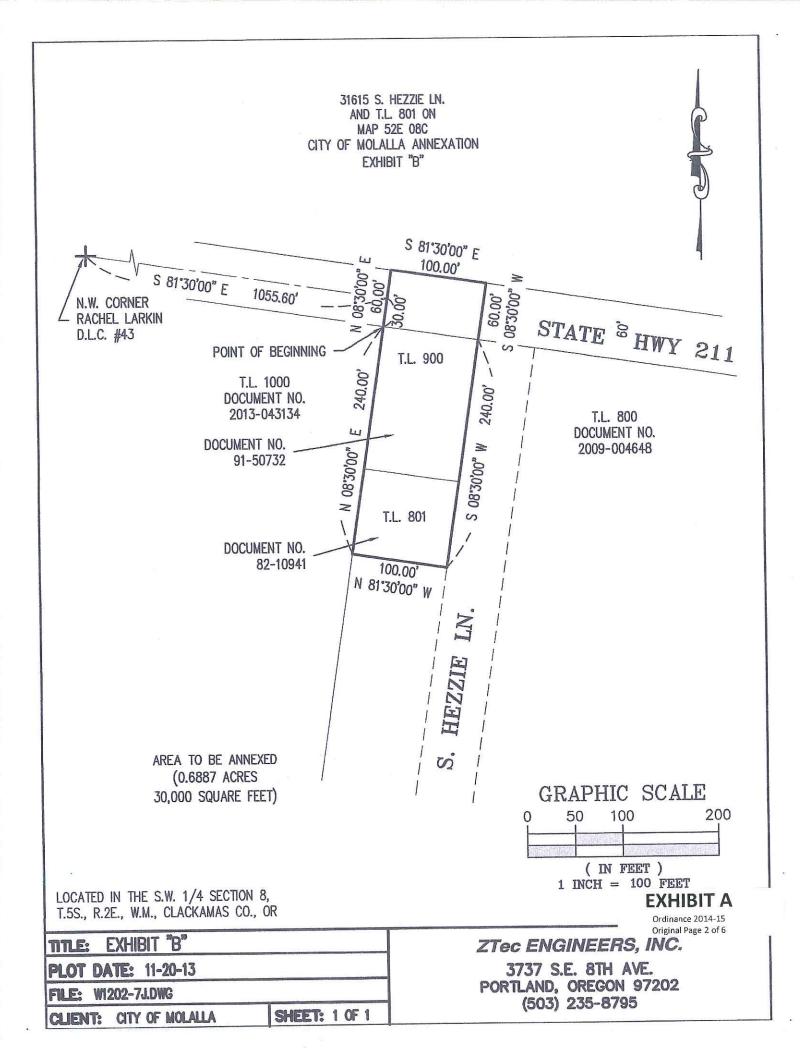
Said Tract of land contains an area of 30,000 square feet (0.6887 acres), more or less.

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 17, 1981
CHRIS FISCHBORN
1944

**EXHIBIT A** 

Ordinance 2014-15 Original Page 1 of 6





## **Property Report**

MALOY N SCOTT & CAROL L 14550 S CLAIM RD MOLALLA, OR 97038

Site Address:

NO SITUS

Taxlot Number:

52E08C 00801

Land Value:

10032

**Building Value:** 

Total Value:

10032

Acreage:

Year Built:

Sale Date:

Sale Amount:

Sale Type:

Land Class:

100

**Building Class:** 

Neighborhood:

Molalia rural north 100,

Taxcode Districts: 035040

Fire

Molalla RFPD #73

Park

**SCH 35 MOLALLA RIVER** 

School Sewer Water

N/A

Cable

N/A

CPO

Wave Broadband (Molalla)

Garb/Recyc

Molalla Molalla Sanitary

City/County

**Clackamas County** 



Site Characteristics:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

**Zone** 

Overlays:

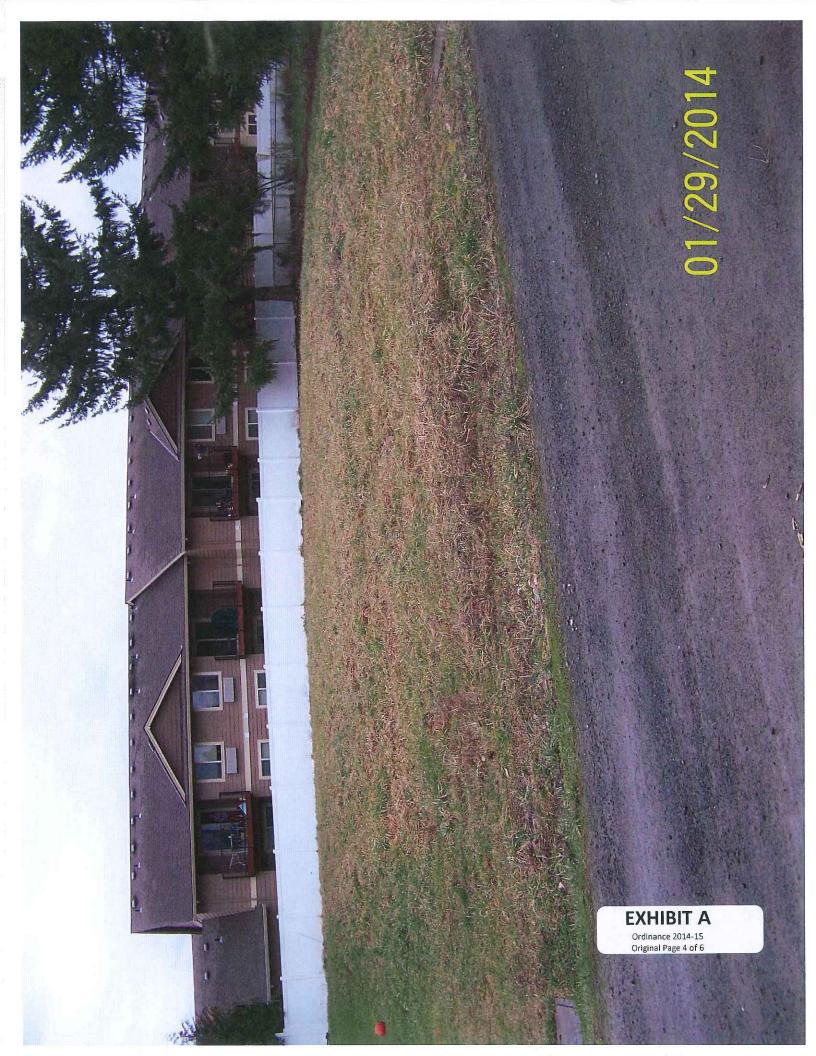
Acreage:

RRFF5

0.21

**EXHIBIT A** 

Ordinance 2014-15 Original Page 3 of 6





## **Property Report**

**TORSEN PATRICIA LOUISE PO BOX 577** MOLALLA, OR 97038

Site Address:

31615 S HEZZIE LN

Taxlot Number:

52E08C 00900

Land Value:

65758

**Building Value:** 

119120

Total Value:

184878

Acreage:

Year Built:

1961

Sale Date:

10/01/1991

Sale Amount:

46780

Sale Type:

Land Class:

101

**Building Class:** 

13

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035040

Fire

Molalla RFPD #73

Park

**SCH 35 MOLALLA RIVER** 

School Sewer Water

N/A

Cable

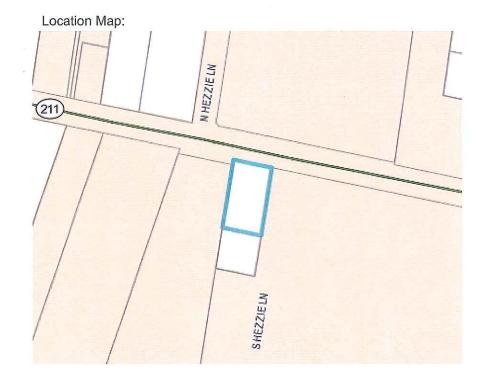
N/A Wave Broadband (Molalla)

CPO Garb/Recyc Molalla

City/County

Molalla Sanitary

Clackamas County



Site Characteristics:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

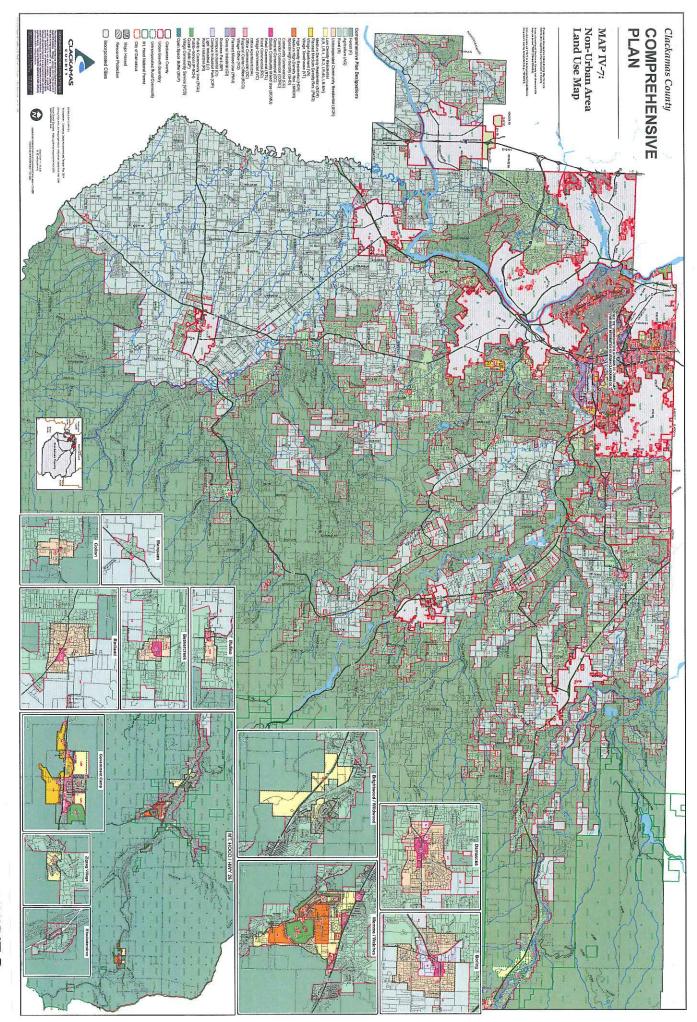
RRFF5

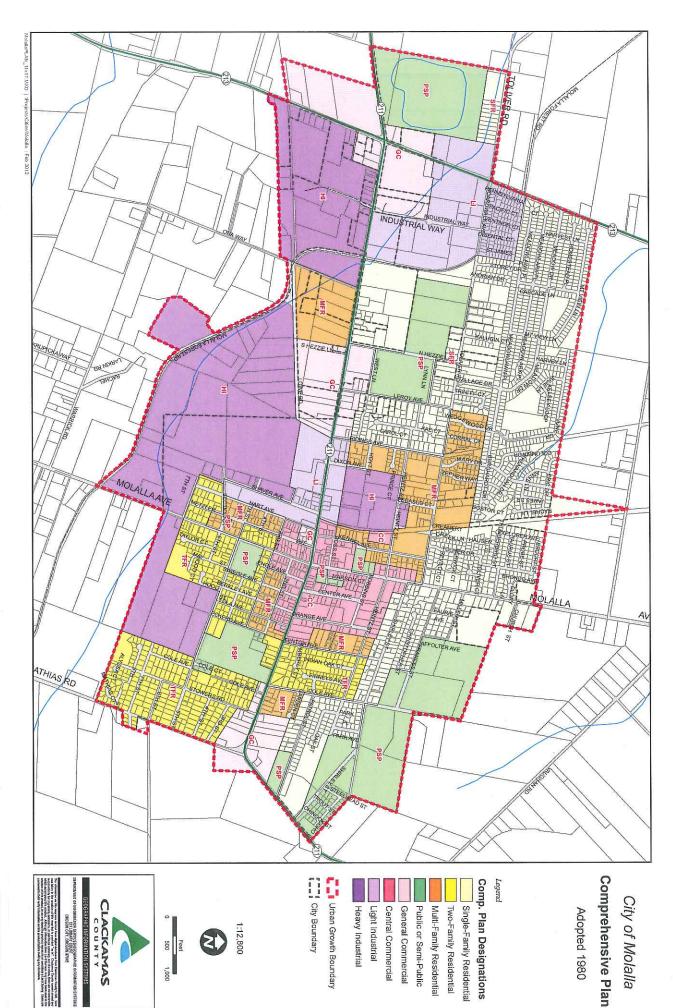
0.34

**EXHIBIT A** 

Ordinance 2014-15 Original Page 5 of 6









#### CITY OF MOLALLA

#### **ORDINANCE No. 2014 - 16**

# AN ORDINANCE ANNEXING ISLAND TERRITORY INTO THE CITY OF MOLALLA, WITHDRAWING THE TERRITORY FROM SPECIAL DISTRICTS, AMENDING THE COMPREHESIVE PLAN AND REZONING PROPERTY.

WHEREAS, pursuant to ORS 222.750, the City of Molalla ("City") initiated annexation of territory surrounded by the corporate boundaries of the City (Case File No. P-6-2014);

WHEREAS, the City notified affected property owners and others entitled to notice under the City's code and notified the state of its intent to annex such territory;

WHEREAS, on June 4, 2014, the Molalla Planning Commission held a duly noticed public hearing to consider the annexation of several islands surrounded by the City's corporate boundaries;

WHEREAS, the planning commission recommended the Molalla City Council annex the islands in accordance with the City's code and state law; and

**WHEREAS**, the city council held a public hearing on July 9, 2014 and decided to annex the islands, withdraw the islands from certain districts, amend the properties' comprehensive plan designations and change the zoning on the properties from county to city zoning.

**NOW, THEREFORE,** the City of Molalla ordains:

**Section 1.** The real properties that are the subject of this ordinance are located in a tract of land being a portion of the Rachel Larkin Donation Land Claim No. 43, located in the Southwest one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon:

Tax Lot No. 52E08C 00600

Tax Lot No. 52E08C 00500

Tax Lot No. 52E08C 00400

Tax Lot No. 52E08C 00290

Tax Lot No. 52E08C 00390

These properties are annexed into the City of Molalla. A meets and bounds legal description, surveyor's map, current Clackamas County Property Report and a time stamped photo of the property are attached and incorporated as Exhibit A.

**Section 2.** The existing Clackamas County comprehensive plan designation, RC (Rural Commercial), is changed to a City plan designation of GC (General Commercial). This change is supported by findings, attached and incorporated as Exhibit B.

**Section 3.** The existing Clackamas County zoning for the affected property, RRFF5 (Rural, Residential, Farm/Forest, 5-acre Minimum Lot Size) is changed to C-2 (General Commercial) except for Tax Lot No. 52E08C 00290 which will retain its C-2 status.

The properties are currently:

Tax Lot No. 52E08C 00600 Residential – In Use

Tax Lot No. 52E08C 00500 Undeveloped

Tax Lot No. 52E08C 00400 Residential – In Use

Tax Lot No. 52E08C 00290 Commerical – In Use

Tax Lot No. 52E08C 00390 Residential – In Use

**Section 4.** The territory is withdrawn from the following service/special districts: None noted.

**Section 5.** Lawfully established land uses occurring on or within the annexed territory may continue and will be treated as nonconforming uses after the effective date of annexation to the City.

Section 6. The Molalla City Recorder shall:

- 1. Mail a copy of this ordinance and attachments to the Oregon Department of Revenue;
- 2. Mail a copy of this ordinance to Clackamas County and all affected service districts;
- 3. Mail a copy of this ordinance to the Oregon Department of Land Conservation and Development, together with the appropriate forms required by the department; and
- 4. If the property owner of the annexed territory appeared before the planning commission or city council, mail a notice to the property owner summarizing this ordinance and describing the owner's right to appeal this decision.

Adopted this 9th day of July by the City Co nays.	uncil of the City of Molalla on a vote of ayes and
	Mayor Deborah Rogge
Attest this 9th day of July 2014	
City Recorder Sadie Cramer	

#### **ZTec Engineers, Inc.**

John McL. Middleton, P.E.

Civil ♦ Structural ♦ Surveying

Chris C. Fischborn, P.L.S. 3737 SE 8<sup>th</sup> Ave.

Portland, OR 97202 503-235-8795

FAX: 503-233-7889

Email: chris@ztecengineers.com

704, 710 & 718 W. Main Street, 13522 State Highway 211, Tax Lot 500 on Tax Map 5S 2E 08C Annexation to the City of Molalla

#### Exhibit A

A Tract of land being a portion of the Rachel Larkin Donation Land Claim No. 43; located in the Southwest one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon. Said Tract of land being more particularly described as follows:

Beginning at the intersection of the Westerly line of that tract of land described in that deed recorded as Document No. 97-082119, Clackamas County Deed Records, with the Southerly right of way line of State Highway 211, said point being South 81°30'00" East a distance of 1850.10 feet and South 08°30'00" West a distance of 30.00 feet from a 3-1/4 inch bronze disc in a monument box found at the Northwest corner of said Rachel Larkin Donation Land Claim No. 43; thence North 08°30'00" East, at right angles to said Highway 211, a distance of 60.00 feet to a point on the Northerly right of way line of said State Highway 211; thence South 81°30'00" East, along said Northerly right of way line, a distance of 720.25 feet to a point; thence South 08°30'00" West, at right angles to said Highway 211, a distance of 60.00 feet to a point on said Southerly right of way line of said Highway 211, said point also being on the Easterly boundary line of that tract of land described as Parcel II in that deed recorded as Document No. 2013-023342, Clackamas County Deed Records; thence South 22°43'44" West, along said Easterly boundary line of said Parcel II, a distance of 634.13 feet to a point on the Northerly right of way line of Lowe Road (County Road No. L-207); thence South 87°11'10" West, along said Northerly right of way line, a distance of 198.93 feet to a point on the boundary line of that tract of land described in that deed recorded as Document No. 2013-043134, Clackamas County Deed Records; thence North 81°30'00" West, along said boundary line of said Document No. 2013-043134 tract, and parallel with said Highway 211, a distance of 369.33 feet to the Southwesterly corner of said Document No. 97-082119 tract; thence North 08°30'00" East, along said Westerly line of said Document No. 97-082119 tract, a distance of 653.70 feet to the true point of beginning of the Tract of land herein described.

Said Tract of land contains an area of 10.4741 acres (456,252 square feet), more or less.

The bearings and distances in this description are based on Clackamas County Surveys 28456 and 2008-

REGISTERED PROFESSIONAL LAND SURVEYOR

OREUON
JALY 17, 1991
GREB FISCHROPH

**EXHIBIT** A

Ronald b. Sellards, P.E.

Ordinance 2014-16 Original Page 1 of 12

704, 710 & 718 W. MAIN STREET, 13522 STATE HIGHWAY 211 & TAX LOT 500 ON MAP 5S 2E 08C CITY OF MOLALLA ANNEXATION EXHIBIT "B" N.W. CORNER RACHEL LARKIN DONATION LAND CLAIM NO. 43 FD. 3-1/4" BRASS DISC IN MONUMENT BOX S 81°30'00" E 1850.10 S 08°30'00" W DOCUMENT NO. N 08°30'00" E 30.00 98-024865 60.00 STATE HWY S 81°30'00" E 21 720.25 08"30'00" 90, POINT OF T.L. BEGINNING T.L. T.L.'S 700 T.L. 600 T.L. 300 T.L. 500 T.L. 100 653.70 400 38 200 DOCUMENT NO. 2013-000504 1 PARCEL II NO. 2013-023342 390 N 08"30'00" E DOCUMENT NO. 97-082119 DOCUMENT NO. 97-099879 DOCUMENT NO. 2002-062100 PARCEL I DOCUMENT NO. 2013-023342 DOCUMENT DOCUMENT NO. N 81°30'00" W T.L. 1000 CO. RD. NO. L-207 369.33 2013-043134 600 LOWE RD. S 87"11'10" W 198.93 GRAPHIC SCALE AREA TO BE ANNEXED (10.4741 ACRES 400 200 100 456,252 SQUARE FEET) ( IN FEET ) 1 INCH = 200 FEET EXHIBIT A LOCATED IN THE S.W. 1/4 SECTION 8, Ordinance 2014-16 T.5S., R.2E., W.M., CLACKAMAS CO., OR Original Page 2 of 12 ZTec ENGINEERS, INC. EXHIBIT "B" TITLE 3737 S.E. 8TH AVE. PLOT DATE: 12-10-13 PORTLAND, OREGON 97202 W1202-7K.DWG (503) 235-8795 SHEET: 1 OF 1

CITY OF MOLALLA



## **Property Report**

#### **CAMPY EDWARD J** 724 W MAIN ST MOLALLA, OR 97038

Site Address:

724 W MAIN ST

Taxlot Number:

52E08C 00600

Land Value:

93040

**Building Value:** Total Value:

66270 159310

Acreage:

Year Built:

1924

Sale Date:

10/01/1997

Sale Amount:

Sale Type:

Land Class:

101

**Building Class:** 

12

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035013

RIDINGSAV S LOWE RD

Site Characteristics:

Location Map:

UGB:

Flood Zone:

MOLALLA Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

RRFF5

2.40

Fire

Molalla RFPD #73

Park

N/A

SCH 35 MOLALLA RIVER School Sewer

Water

N/A N/A

Cable

Wave Broadband (Molalla)

CPO

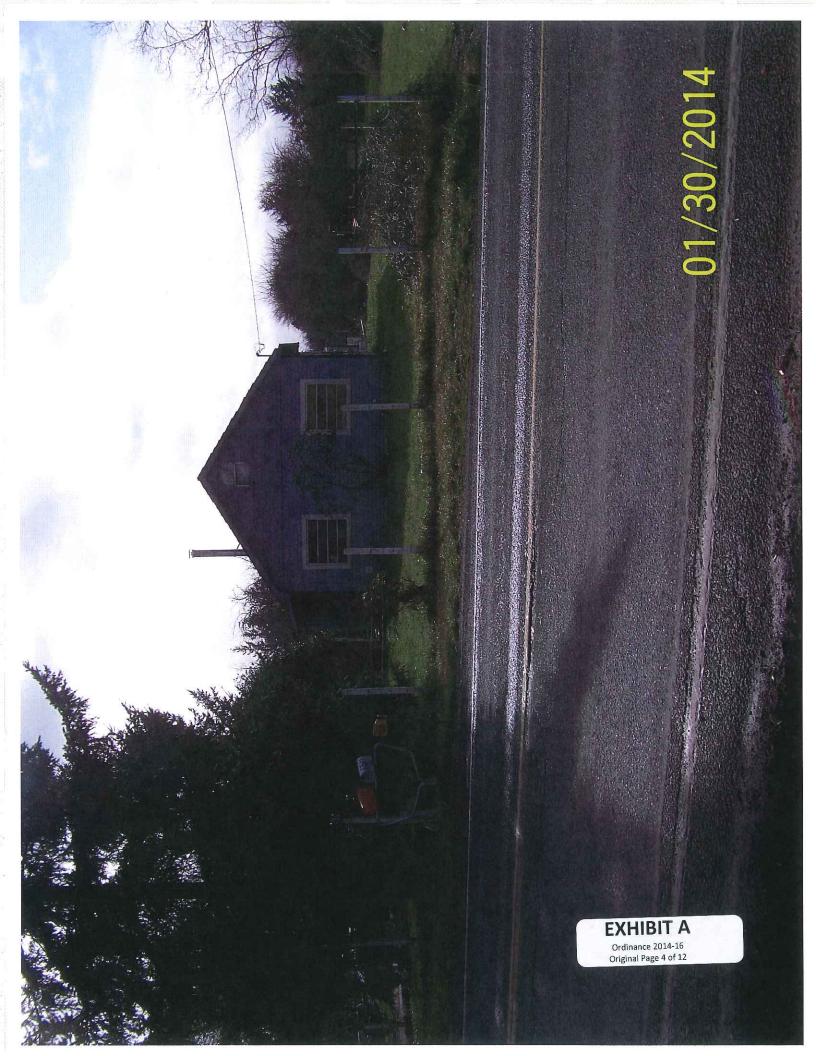
Molalla

Garb/Recyc City/County Molalla Sanitary Clackamas Co.

**EXHIBIT A** 

Ordinance 2014-16 Original Page 3 of 12

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.





# **Property Report**

CAMPY EDWARD J 724 W MAIN ST MOLALLA, OR 97038

Site Address:

NO SITUS

Taxlot Number:

52E08C 00500

Land Value:

8977

**Building Value:** 

0

Total Value:

8977

Acreage:

Year Built:

Sale Date:

12/01/1997

Sale Amount:

0

Sale Type:

Land Class:

100

**Building Class:** 

Neighborhood:

Molalia rural north 100,

Taxcode Districts: 035013

Molalla RFPD #73

Fire Park

N/A

School

SCH 35 MOLALLA RIVER N/A

Sewer Water

N/A

Cable

Wave Broadband (Molalla)

CPO

Molalla

Garb/Recyc

Molalla Sanitary

City/County

Clackamas Co.

S LOWE RD

Site Characteristics:

UGB:

Flood Zone:

MOLALLA

Not Available

Zoning Designation(s):

**Zone** 

Overlays:

Acreage:

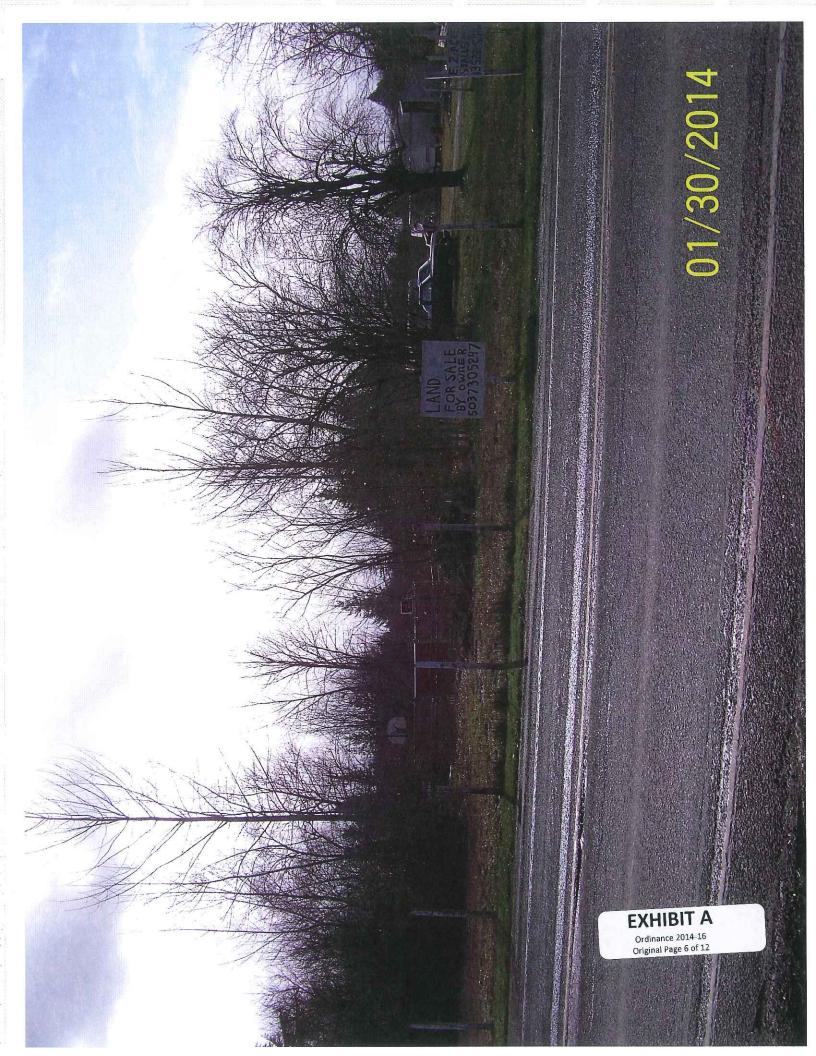
RRFF5

1.51

**EXHIBIT A** 

Ordinance 2014-16 Original Page 5 of 12

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.





# **Property Report**

**BUTTLER NANCY** 133 NW TRINITY PL #4 PORTLAND, OR 97209

Site Address:

718 W MAIN ST

Taxlot Number:

52E08C 00400

Land Value:

102605

Building Value:

167190

Total Value:

269795

Acreage:

Year Built:

1949

Sale Date:

Sale Amount:

0

Sale Type:

Land Class:

401

**Building Class:** 

14

Neighborhood:

Molalla rural north all

Taxcode Districts: 035013

Fire

Molalla RFPD #73

Park

School **SCH 35 MOLALLA RIVER** 

Sewer N/A

Water

N/A

Cable

Wave Broadband (Molalla)

CPO

Molalla

Garb/Recyc City/County

Molalla Sanitary Clackamas Co.

Location Map:



Site Characteristics:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

RRFF5

3.11

**EXHIBIT A** 

Ordinance 2014-16 Original Page 7 of 12

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.

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## **Property Report**

**MOLALLA MINI STORAGE LLC** 14855 SE 82ND DR CLACKAMAS, OR 97015

Site Address:

NO SITUS

Taxlot Number:

52E08C 00290

Land Value:

76119

**Building Value:** 

76119

Total Value:

Acreage: Year Built:

Sale Date:

03/28/2013

Sale Amount:

Sale Type:

X

Land Class:

300

**Building Class:** 

Neighborhood:

Area 02 industrial

Taxcode Districts: 035013

Site Characteristics:

Location Map:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

S LOWE RD

Zoning Designation(s):

Zone

Overlays:

Acreage:

C2

0.48

Fire Park Molalla RFPD #73

SCH 35 MOLALLA RIVER School

Sewer Water

N/A

Cable

City

CPO

Garb/Recyc City/County

Clackamas Co.

N/A

City

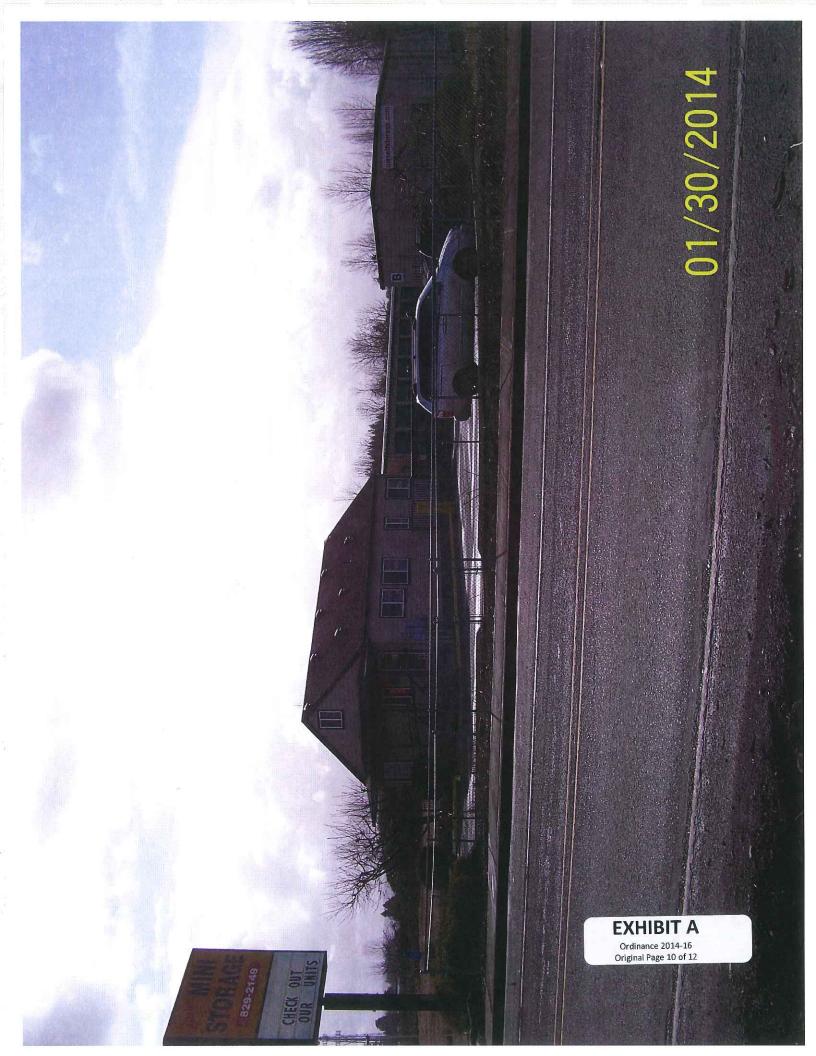
Molalla Sanitary

**EXHIBIT A** 

Ordinance 2014-16 Original Page 9 of 12

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.

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# **Property Report**

BUNNELL DONALD G TRUSTEE 13412 CHOCO RD APPLE VALLEY, CA 92308

Site Address:

NO SITUS

Taxlot Number:

52E08C 00390

Land Value:

31589

Building Value:

0

Total Value:

31589

Acreage:

Year Built:

Sale Date:

06/25/2009

Sale Amount:

Х

Sale Type:

Land Class:

100

Building Class:

Neighborhood:

City of Molalla 100, 101

Taxcode Districts: 035013

Molalla RFPD #73

Park

N/A SCH 35 MOLALLA RIVER

School SCH Sewer N/A

Water

Cable

CPO

Fire

N/A City City

Garb/Recyc City/County Molalla Sanitary Clackamas Co.

6.7



Site Characteristics:

UGB:

MOLALLA

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

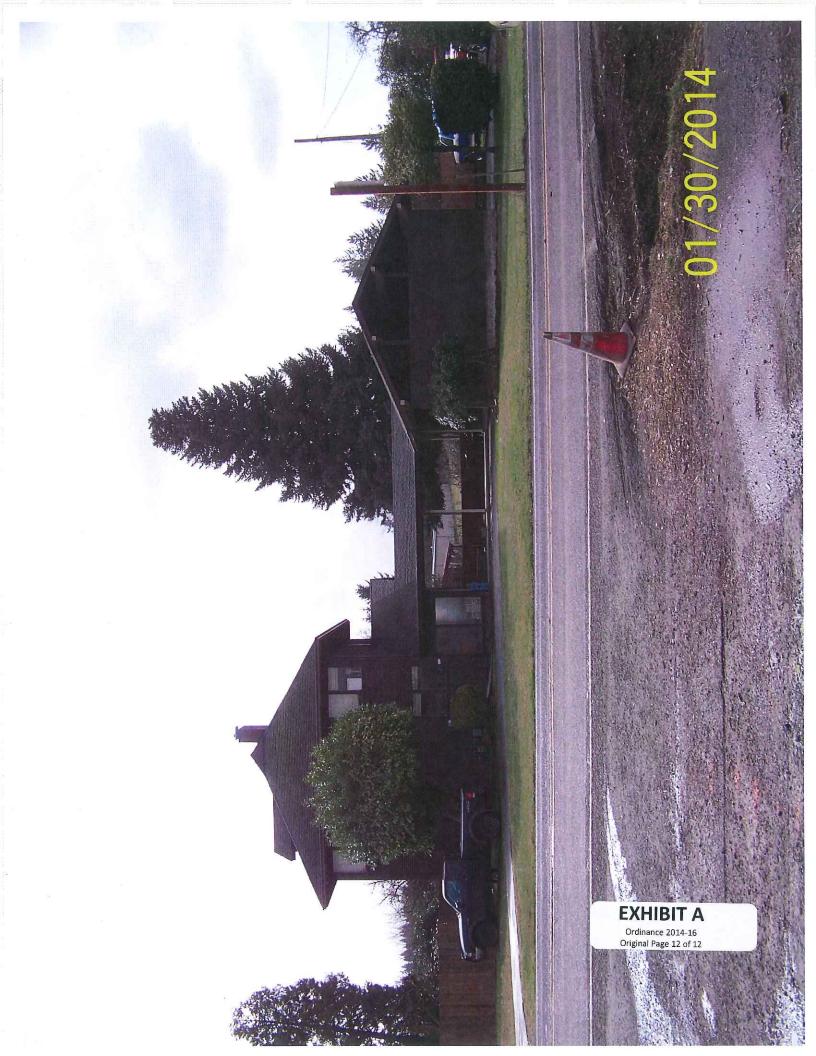
RRFF5

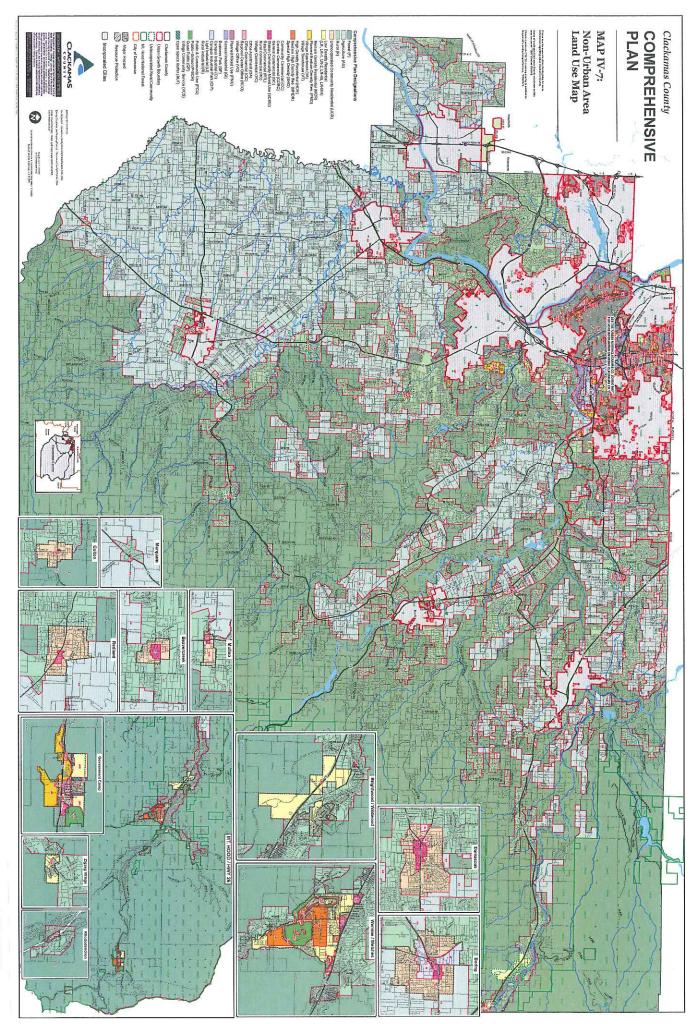
0.48

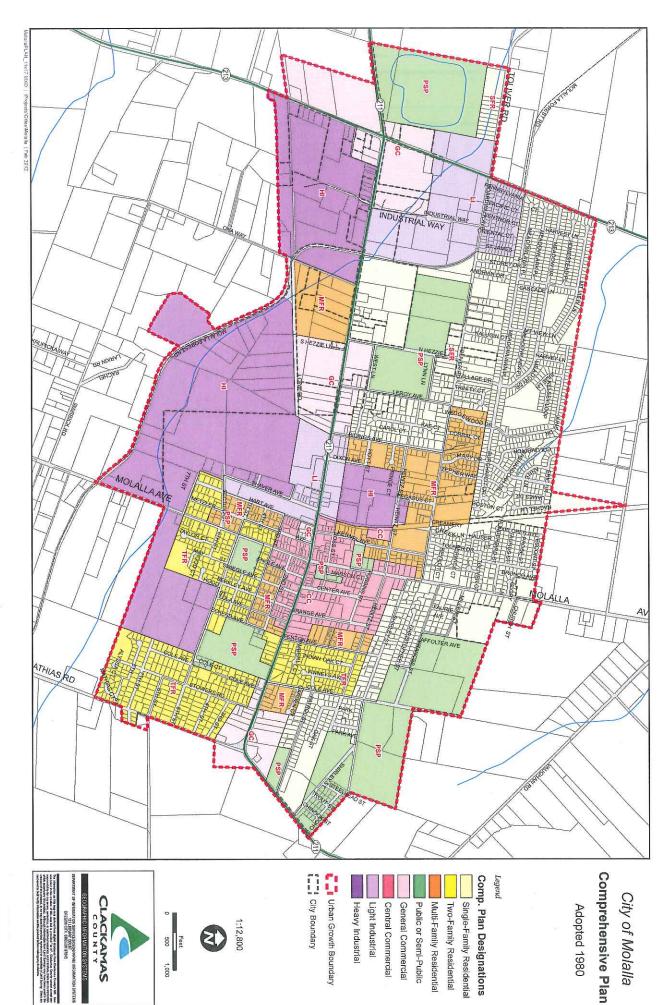
**EXHIBIT A** 

Ordinance 2014-16 Original Page 11 of 12

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.









#### CITY OF MOLALLA

#### **ORDINANCE No. 2014 - 17**

# AN ORDINANCE ANNEXING ISLAND TERRITORY INTO THE CITY OF MOLALLA, WITHDRAWING THE TERRITORY FROM SPECIAL DISTRICTS, AMENDING THE COMPREHESIVE PLAN AND REZONING PROPERTY.

WHEREAS, pursuant to ORS 222.750, the City of Molalla ("City") initiated annexation of territory surrounded by the corporate boundaries of the City (Case File No. P-6-2014);

WHEREAS, the City notified affected property owners and others entitled to notice under the City's code and notified the state of its intent to annex such territory;

**WHEREAS**, on June 4, 2014, the Molalla Planning Commission held a duly noticed public hearing to consider the annexation of several islands surrounded by the City's corporate boundaries;

WHEREAS, the planning commission recommended the Molalla City Council annex the islands in accordance with the City's code and state law; and

WHEREAS, the city council held a public hearing on July 9, 2014 and decided to annex the islands, withdraw the islands from certain districts, amend the properties' comprehensive plan designations and change the zoning on the properties from county to city zoning.

**NOW, THEREFORE,** the City of Molalla ordains:

**Section 1.** The real properties that are the subject of this ordinance are located in a tract of land being a portion of State Highway 211, and being a portion of a public road described in that deed recorded October 2, 1951 in book 449, page 292, Clackamas County Deed Records, all located in the Northwest one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon:

Tax Lot No. 52E08B 04800

Tax Lot No. 52E08B 04700

Tax Lot No. 52E08B 04600

Tax Lot No. 52E08B 04500

These properties are annexed into the City of Molalla. A meets and bounds legal description, surveyor's map, current Clackamas County Property Report and a time stamped photo of the property are attached and incorporated as Exhibit A.

**Section 2.** The existing Clackamas County comprehensive plan designation, RC (Rural Commercial), is changed to a City plan designation of GC (General Commercial). This change is supported by findings, attached and incorporated as Exhibit B.

**Section 3.** The existing Clackamas County zoning for the affected property, RRFF5 (Rural, Residential, Farm/Forest, 5-acre Minimum Lot Size) is changed to C-2 (General Commercial). The properties are currently:

Tax Lot No. 52E08B 04800 Commercial – In Use
Tax Lot No. 52E08B 04700 Residential – In Use
Tax Lot No. 52E08B 04600 Residential – In Use
Tax Lot No. 52E08B 04500 Residential – In Use

**Section 4.** The territory is withdrawn from the following service/special districts: None noted.

**Section 5.** Lawfully established land uses occurring on or within the annexed territory may continue and will be treated as nonconforming uses after the effective date of annexation to the City.

Section 6. The Molalla City Recorder shall:

- 1. Mail a copy of this ordinance and attachments to the Oregon Department of Revenue;
- 2. Mail a copy of this ordinance to Clackamas County and all affected service districts;
- 3. Mail a copy of this ordinance to the Oregon Department of Land Conservation and Development, together with the appropriate forms required by the department; and
- 4. If the property owner of the annexed territory appeared before the planning commission or city council, mail a notice to the property owner summarizing this ordinance and describing the owner's right to appeal this decision.

Adopted this 9th day of July by the City Coun nays.	cil of the City of Molalla on a vote of a	yes and
	Mayor Deborah Rogge	
Attest this 9th day of July 2014		
City Recorder Sadie Cramer		

#### **ZTec Engineers, Inc.**

Civil ♦ Structural ♦ Surveying

John McL. Middleton, P.E.

Chris C. Fischborn, P.L.S. 3737 SE 8<sup>th</sup> Ave. Portland, OR 97202 503-235-8795

FAX: 503-233-7889 Email: chris@ztecengineers.com

102, 104, 108 & 110 S. Leroy Ave. Annexation to the City of Molalla

Exhibit A

A Tract of land being a portion of Tract 19 and a portion of Tract 22 of the Plat of "The Shaver Place", and being a portion of State Highway 211, and being a portion of a public road described in that deed recorded October 2, 1951 in book 449,page 292, Clackamas County Deed Records, all located in the Northwest one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon. Said Tract of land being more particularly described as follows:

Beginning at the intersection of the Northerly right of way line of State Highway 211 (60 feet wide) with the Westerly right of way line of S. Leroy Avenue (60 feet wide), said point being the true point of beginning of the Tract of land herein described; thence South 08°29'40" West, at right angles to said Highway 211, a distance of 60.00 feet to a point on the Southerly right of way line of said Highway 211; thence North 81°30'20" West, along said Southerly right of way line, a distance of 79.93 feet to a point; thence North 08°29'40" East, at right angles to said Highway 211, a distance of 60,00 feet to a point on said Northerly right of way line of said Highway 211, said point also being the Southwesterly corner of that tract of land described in that deed recorded as Document No. 1989-10771, Clackamas County Deed Records; thence North 08°43'32" East, along the Westerly line of said Document No. 1989-10771 tract, a distance of 170.00 feet to a point on the Southerly boundary line of that Tract of land described in that deed recorded as Document No. 1999-076306, Clackamas County Deed Records; thence North 81°30'20" West, along said Southerly boundary line, and parallel with said Highway 211, a distance of 124.92 feet to the Southwesterly corner of said Document No. 1999-076306 Tract; thence North 08°42'48" East, along the Westerly line of said Document No. 1999-076306 tract, and along the Westerly line of that tract of land described in that deed recorded as Document No. 2011-040261, Clackamas County Deed Records, and along the Westerly line of that tract of land described in that deed recorded as Document No. 98-066735, Clackamas County Deed Records, and being parallel with said S. Leroy Avenue, a distance of 265.00 feet to a point on the Southerly right of way line of said public road recorded in Book 449, Page 292; thence North 08°29'40" East, at right angles to said public road, a distance of 60.00 feet to a point on the Northerly right of way line of said public road;

> REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 17, 1981
CHRIS FISCHBORM
1944

**EXHIBIT A** 

Ronald b. Sellards, P.E.

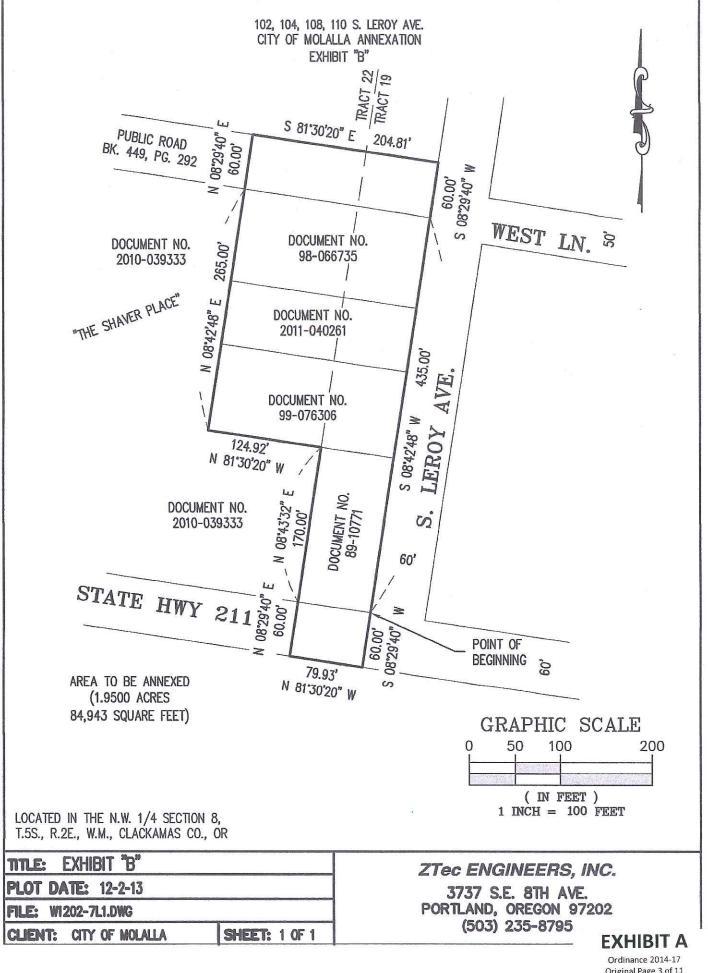
Ordinance 2014-17 Original Page 1 of 11 thence South 81°30′20″ East, along said Northerly right of way line, a distance of 204.81 feet to a point; thence South 08°29′40″ West, at right angles to said public road, a distance of 60.00 feet to the intersection of said Southerly right of way line of said public road with said Westerly right of way line of said S. Leroy Avenue; thence South 08°42′48″ West, along said Westerly right of way line, a distance of 435.00 feet to the true point of beginning of the Tract of land herein described.

Said Tract of land contains an area of 1.9500 acres (84,943 square feet), more or less.

The bearings and distances in this description are based on Clackamas County Survey No. 17274

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON JULY 17, 1961 CHRIS FISCHBORM 1944





### **Property Report**

WEST LN

KIM YONG S PO BOX 2684 WILSONVILLE, OR 97070

Site Address:

102 S LEROY AVE

Taxlot Number:

52E08B 04800

Land Value:

70063

Building Value:

135900

Total Value:

205963

Acreage:

Year Built:

Sale Date:

04/29/2013

Sale Amount:

Sale Type:

Land Class:

201

**Building Class:** 

Neighborhood:

Area 02 commercial

Taxcode Districts: 035040

Site Characteristics:

Location Map:

UGB:

MOLALLA

Flood Zone:

Not Available

211

Zoning Designation(s):

**Zone** 

Overlays:

Acreage:

RRFF5

0.39

Fire

Molalla RFPD #73

Park

N/A

School **SCH 35 MOLALLA RIVER** Sewer

N/A

Water

N/A

Cable

Wave Broadband (Molalla)

CPO

Molalla

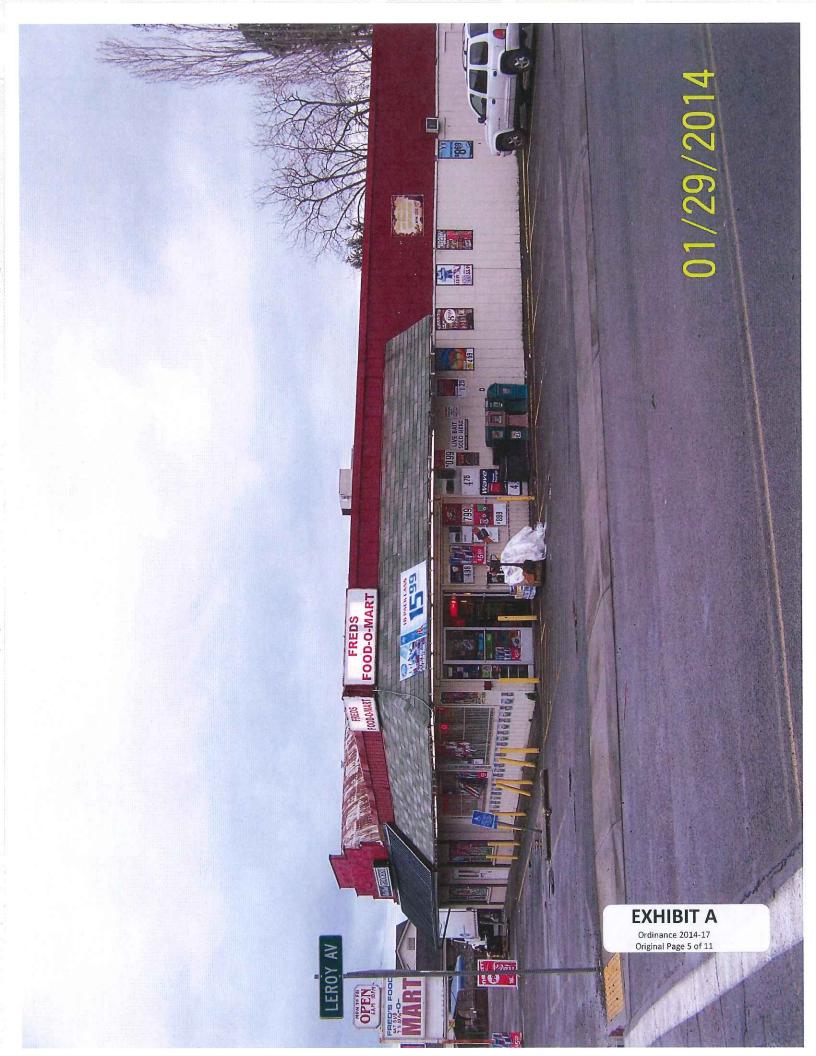
Garb/Recyc City/County **Molalla Sanitary** Clackamas County

**EXHIBIT A** 

Ordinance 2014-17 Original Page 4 of 11

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### **Property Report**

**RUIZ EUSEBIO LOPEZ** 106 S LEROY AVE MOLALLA, OR 97038

Site Address:

104 S LEROY AVE

Taxlot Number:

52E08B 04700

Land Value:

59006

**Building Value:** 

118930

Total Value:

177936

Acreage:

Year Built:

1971

Sale Date:

07/30/1999

Sale Amount:

136000

Sale Type:

M

Land Class:

101

Building Class:

13

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035040



Site Characteristics:

UGB:

Flood Zone:

**MOLALLA** Not Available Zoning Designation(s):

Zone

Overlays: Acreage:

RRFF5

0.48

Fire

Molalla RFPD #73

Park

N/A

School Sewer

**SCH 35 MOLALLA RIVER** 

Water

N/A N/A

Cable

Wave Broadband (Molalla)

CPO

Molalla

City/County

Molalla Sanitary

Garb/Recyc

Clackamas County

**EXHIBIT A** 

Ordinance 2014-17 Original Page 6 of 11

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.

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# **Property Report**

WEST LN

#### **URIBE RICHARD A TRUSTEE** PO BOX 1157 MOLALLA, OR 97038

Site Address:

108 S LEROY AVE

Taxlot Number:

52E08B 04600

Land Value:

52872

Building Value:

83860

Total Value:

136732

Acreage:

Year Built:

1910

Sale Date:

07/12/2011

Sale Amount:

Sale Type:

S

Land Class:

101

**Building Class:** 

12

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035040

Site Characteristics:

Location Map:

WESTLM

**MOLALLA** 

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

UGB:

Flood Zone:

RRFF5

0.35

Fire

Molalla RFPD #73

Park School N/A **SCH 35 MOLALLA RIVER** 

Sewer N/A

Water

N/A

Cable

Wave Broadband (Molalla)

CPO

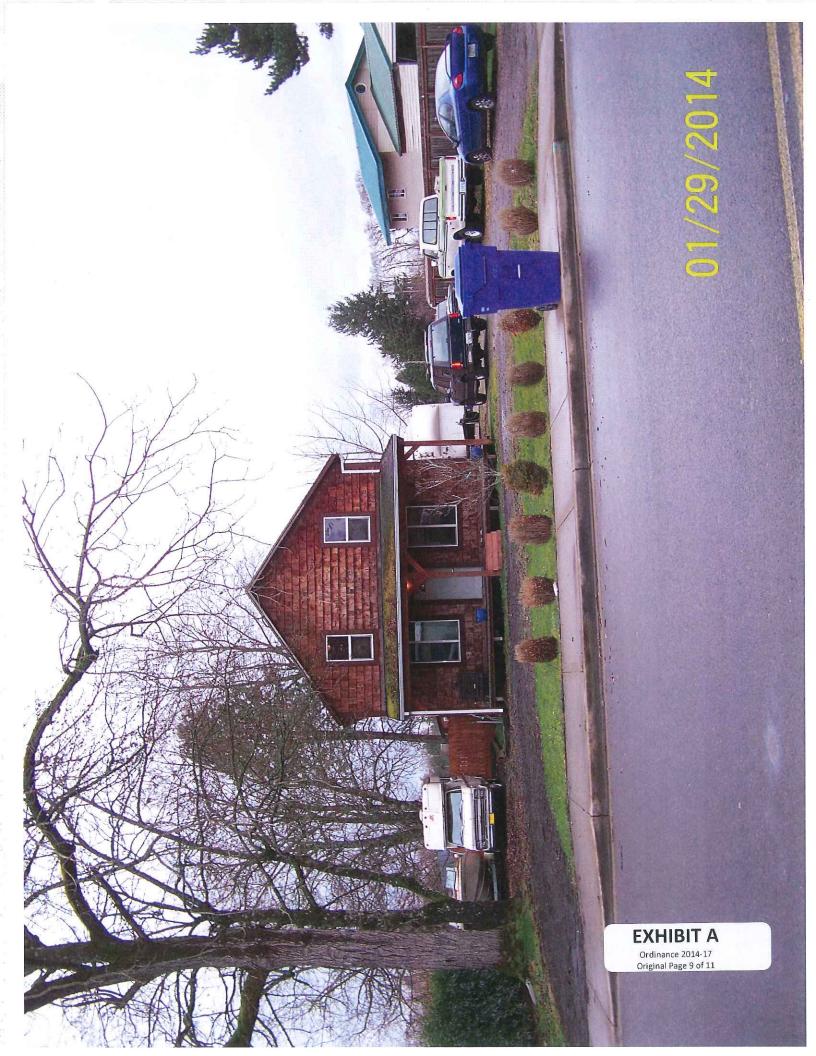
Garb/Recyc City/County **Molalla Sanitary Clackamas County** 

Molalla

EXHIBIT A

Ordinance 2014-17 Original Page 8 of 11

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# **Property Report**

#### **OKERT DAVID A & DIANNE L** 110 S LEROY AVE MOLALLA, OR 97038

Site Address:

110 S LEROY AVE

Taxlot Number:

52E08B 04500

Land Value:

59006

**Building Value:** Total Value:

56820 115826

Acreage:

Year Built:

1910

Sale Date:

07/01/1998

Sale Amount:

126000

Sale Type:

Land Class:

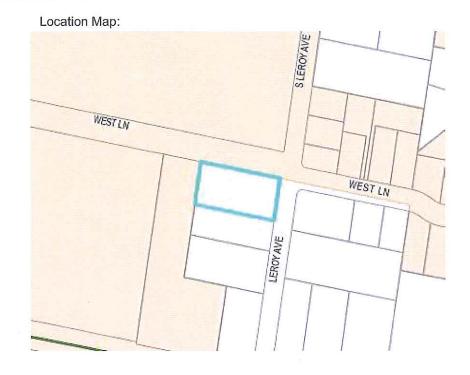
**Building Class:** 

12

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035013



Site Characteristics:

UGB:

MOLALLA

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

RRFF5

0.48

Fire

Molalla RFPD #73

Park School

SCH 35 MOLALLA RIVER Sewer

Water

N/A N/A

Cable

Wave Broadband (Molalla)

CPO

Molalla

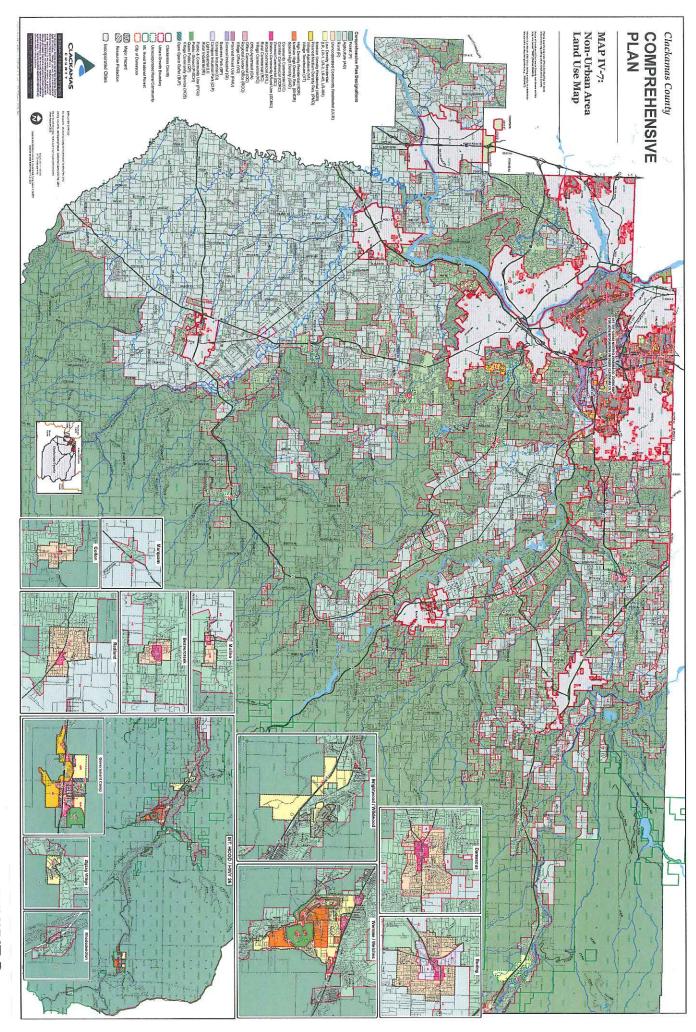
Garb/Recyc City/County Molalla Sanitary **Clackamas County** 

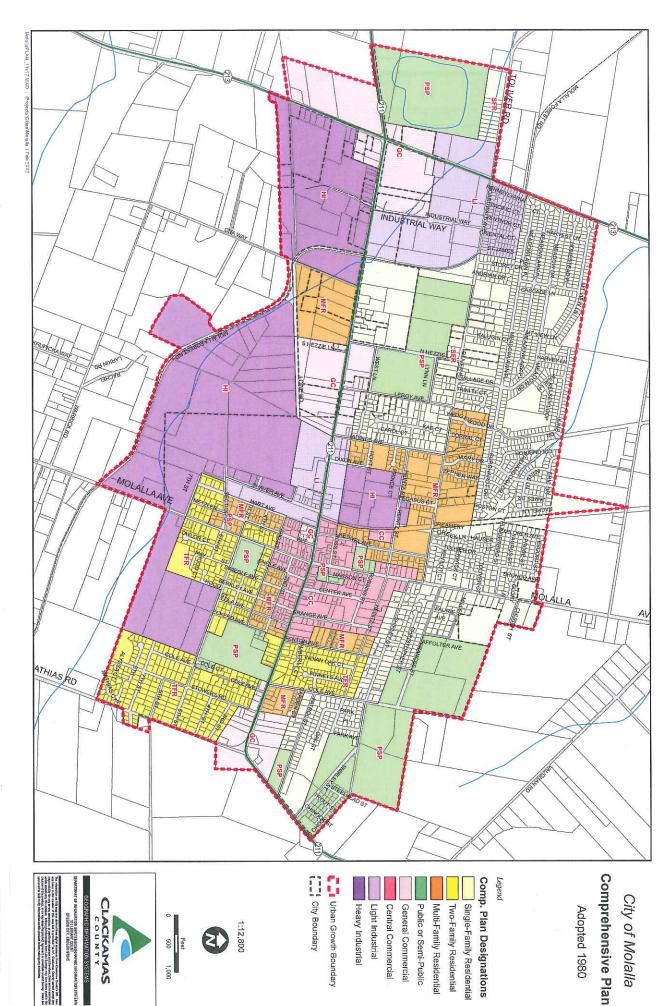
**EXHIBIT A** 

Ordinance 2014-17 Original Page 10 of 11

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#### CITY OF MOLALLA

#### **ORDINANCE No. 2014 - 18**

# AN ORDINANCE ANNEXING ISLAND TERRITORY INTO THE CITY OF MOLALLA, WITHDRAWING THE TERRITORY FROM SPECIAL DISTRICTS, AMENDING THE COMPREHESIVE PLAN AND REZONING PROPERTY.

WHEREAS, pursuant to ORS 222.750, the City of Molalla ("City") initiated annexation of territory surrounded by the corporate boundaries of the City (Case File No. P-6-2014);

WHEREAS, the City notified affected property owners and others entitled to notice under the City's code and notified the state of its intent to annex such territory;

WHEREAS, on June 4, 2014, the Molalla Planning Commission held a duly noticed public hearing to consider the annexation of several islands surrounded by the City's corporate boundaries;

WHEREAS, the planning commission recommended the Molalla City Council annex the islands in accordance with the City's code and state law; and

**WHEREAS**, the city council held a public hearing on July 9, 2014 and decided to annex the islands, withdraw the islands from certain districts, amend the properties' comprehensive plan designations and change the zoning on the properties from county to city zoning.

**NOW, THEREFORE,** the City of Molalla ordains:

**Section 1.** The real properties that are the subject of this ordinance are located in a tract of land being all of Lots 1, 2, & 3 of the Plat "Cascade Acres No. 1" (Plat No. 642), and a portion of tract B of the Plat of "The Shave Subdivision" (Plat No. 369), and a portion of S. Leroy Avenue, and a portion of State highway 211, all located in the Northeast one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon:

Tax Lot No. 52E08AC03700

Tax Lot No. 52E08AC03800

Tax Lot No. 52E08AC03900

Tax Lot No. 52E08AC04000

Tax Lot No. 52E08AC04100

These properties are annexed into the City of Molalla. A meets and bounds legal description, surveyor's map, current Clackamas County Property Report and a time stamped photo of the property are attached and incorporated as Exhibit A.

**Section 2.** The existing Clackamas County comprehensive plan designation, R (Rural Residential), is changed to a City plan designation of GC (General Commercial). This change is supported by findings, attached and incorporated as Exhibit B.

**Section 3.** The existing Clackamas County zoning for the affected property, RRFF5 (Rural, Residential, Farm/Forest, 5-acre Minimum Lot Size) is changed to C-2 (General Commercial). The properties are currently:

Tax Lot No. 52E08AC03700 Residential – In Use
Tax Lot No. 52E08AC03800 Residential – In Use
Tax Lot No. 52E08AC03900 Residential – In Use
Tax Lot No. 52E08AC04000 Residential – In Use
Tax Lot No. 52E08AC04100 Residential – In Use

**Section 4.** The territory is withdrawn from the following service/special districts: None noted.

**Section 5.** Lawfully established land uses occurring on or within the annexed territory may continue and will be treated as nonconforming uses after the effective date of annexation to the City.

**Section 6.** The Molalla City Recorder shall:

- 1. Mail a copy of this ordinance and attachments to the Oregon Department of Revenue;
- 2. Mail a copy of this ordinance to Clackamas County and all affected service districts;
- 3. Mail a copy of this ordinance to the Oregon Department of Land Conservation and Development, together with the appropriate forms required by the department; and
- 4. If the property owner of the annexed territory appeared before the planning commission or city council, mail a notice to the property owner summarizing this ordinance and describing the owner's right to appeal this decision.

Adopted this 9th day of July by the City Co	ouncil of the City of Molalla on a vote of ayes and
	Mayor Deborah Rogge
Attest this 9th day of July 2014	
City Recorder Sadie Cramer	

#### **ZTec Engineers, Inc.**

John McL. Middleton, P.E.

Civil ♦ Structural ♦ Surveying

Chris C. Fischborn, P.L.S. 3737 SE 8th Ave.

Portland, OR 97202 503-235-8795

FAX: 503-233-7889

Email: chris@ztecengineers.com

Ronald b. Sellards, P.E.

721, 723, 725 & 727 State Highway 211, 107 S. Leroy Ave. Annexation to the City of Molalla

#### Exhibit A

A Tract of land being all of Lots 1, 2 & 3 of the Plat "Cascade Acres No. 1" (Plat No. 642), and a portion of Tract B of the Plat of "The Shaver Subdivision" (Plat No. 369), and a portion of S. Leroy Avenue, and a portion of State Highway 211, all located in the Northeast one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon. Said Tract of land being more particularly described as follows:

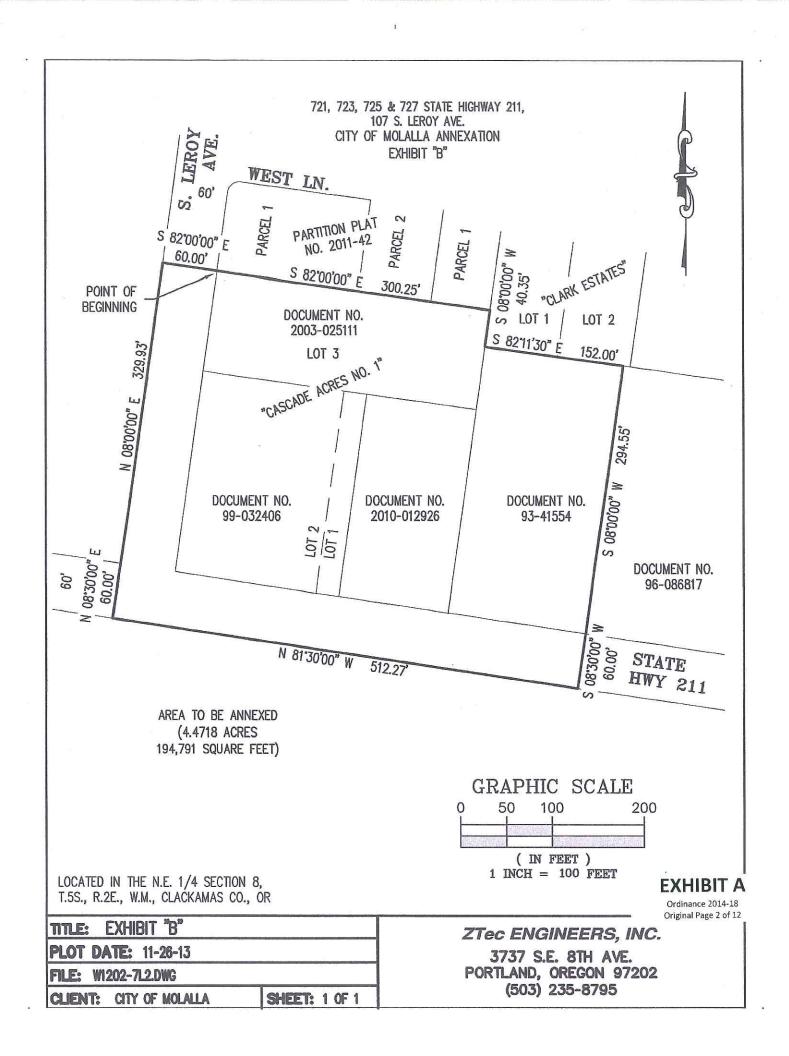
Beginning at the Southwesterly corner of Clackamas County Partition Plat No. 2011-42, said point being on the Easterly right of way line of S. Leroy Avenue; thence South 82°00'00" East, along the Southerly boundary of said Partition Plat, a distance of 300.25 feet to the Southeasterly corner of said Partition Plat, said point also being on the Westerly boundary line of Lot 1 of the Plat of "Clark Estates"; thence South 08°00'00" West, along said Westerly boundary line, a distance of 40.35 feet to the Southwest corner thereof; thence South 82°11'30" East, along the Southerly boundary line of said "Clark Estates", a distance of 152.00 feet to the Northeasterly corner of that tract of land described in that deed recorded as Document No. 93-41554, Clackamas County Deed Records; thence South 08°00'00" West, along the Easterly line of said Document No. 93-41554 tract, a distance of 294.55 feet to a point on the Northerly right of way line of State Highway 211; thence South 08°30′00" West, at right angles to said Highway 211, a distance of 60.00 feet to a point on the Southerly right of way line of said Highway 211; thence North 81°30'00" West, along said Southerly right of way line, a distance of 512.27 feet to a point; thence North 08°30'00" East, at right angles to said Highway 211, a distance of 60.00 feet to the intersection of said Northerly right of way line of said Highway 211, with the Westerly right of way line of said S. Leroy Avenue; thence North 08°00'00" East, along said Westerly right of way line, a distance of 329.93 feet to a point; thence South 82°00'00" East, at right angles to said S. Leroy Avenue, a distance of 60.00 feet to the true point of beginning of the Tract of land herein described.

Said Tract of land contains an area of 4.4718 acres (194,791 square feet), more or less. The bearings and distances in this description are based on Partition Plat No. 2011-42, the plat of "Cascade Acres No. 1", and the plat of "Clark Estates".

> REGISTERED PROFESSIONAL LAND SURVEYOR

> OREGON JULY 17, 1981 CHRIS FISCHBORN 1944

Ordinance 2014-18 Original Page 1 of 12





## **Property Report**

WESTIN

**GRABER JAMES A** PO BOX 447 MOLALLA, OR 97038

Site Address:

107 S LEROY AVE

Taxlot Number:

52E08AC03700

Land Value:

75625

**Building Value:** 

88110

Total Value:

163735

Acreage:

Year Built:

1947

Sale Date:

02/25/2003

Sale Amount:

160000

Sale Type:

S

Land Class:

101

**Building Class:** 

13

Neighborhood:

Molalia rural north 100,

Taxcode Districts: 035013

Location Map:

WESTLM

Site Characteristics:

UGB:

Flood Zone:

**MOLALLA** 

211

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

RRFF5

0.76

Fire

Molalla RFPD #73

Park School N/A

SCH 35 MOLALLA RIVER

Sewer

N/A

Water

N/A Wave Broadband (Molalia)

Cable CPO

Molalla

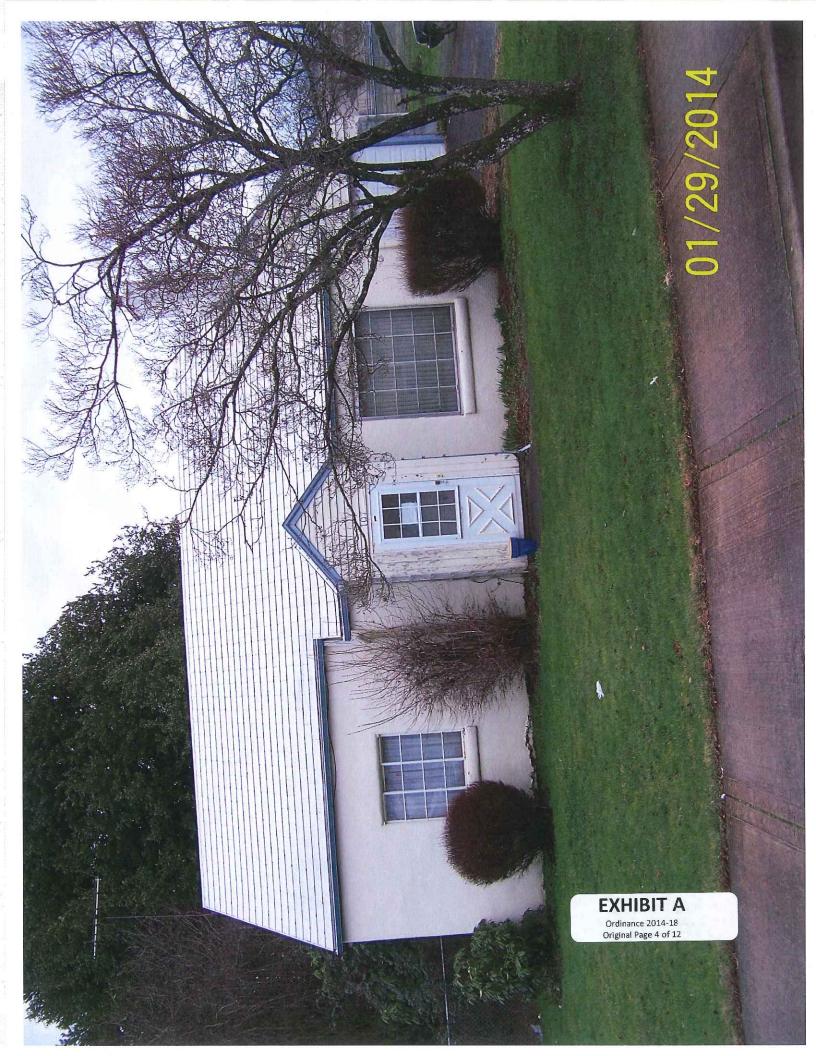
Garb/Recyc City/County Molalla Sanitary Clackamas County

> Ordinance 2014-18 Original Page 3 of 12

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**EXHIBIT A** 





## **Property Report**

WEST

HALL HAROLD E & JUDY M 35771 S HWY 213 MOLALLA, OR 97038

Site Address:

727 W MAIN ST

Taxlot Number:

52E08AC03800

Land Value:

68425

**Building Value:** 

60010

Total Value:

128435

Acreage:

Year Built:

1947

Sale Date:

03/01/1999

Sale Amount:

34000

Sale Type:

Land Class:

101

**Building Class:** 

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035040

Site Characteristics:

Location Map:

UGB:

MOLALLA

Flood Zone:

Not Available

Zoning Designation(s):

Zone

(211)

Overlays:

Acreage:

RRFF5

0.38

Fire

Molalla RFPD #73

Park

N/A

School **SCH 35 MOLALLA RIVER** 

Sewer Water

N/A

Cable

N/A

CPO

Wave Broadband (Molalla)

Molalla

Garb/Recyc City/County Molalla Sanitary **Clackamas County** 

EXHIBIT A

Ordinance 2014-18 Original Page 5 of 12





## **Property Report**

FLESKES PAMELA L 725 W MAIN ST MOLALLA, OR 97038

Site Address:

725 W MAIN ST

Taxlot Number:

52E08AC03900

Land Value:

69225

**Building Value:** 

175420

Total Value:

244645

Acreage:

Year Built:

1958

Sale Date:

02/11/2010

Sale Amount:

Sale Type:

Land Class:

101

**Building Class:** 

14

Neighborhood:

Molalia rural north 100,

Taxcode Districts: 035040

211

Site Characteristics:

Location Map:

UGB:

MOLALLA

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

RRFF5

0.51

Fire

Molalla RFPD #73

Park

N/A

School Sewer

SCH 35 MOLALLA RIVER N/A

Water

N/A

Cable

Wave Broadband (Molalla)

CPO

Molalla

Garb/Recyc City/County

Molalla Sanitary Clackamas County

**EXHIBIT A** 

Ordinance 2014-18 Original Page 7 of 12





## **Property Report**

#### **FEATHERS DONALD P & ELIZABETH** 723 W MAIN ST MOLALLA, OR 97038

Site Address:

723 W MAIN ST

Taxlot Number:

52E08AC04000

Land Value:

70025

**Building Value:** 

112420

Total Value:

182445

Acreage:

Year Built:

1959

Sale Date:

12/01/1986

Sale Amount:

49000

Sale Type:

Land Class:

101

**Building Class:** 

13

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035040

WEST LN 211

Site Characteristics:

Location Map:

UGB:

Flood Zone:

MOLALLA

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

RRFF5

0.64

Fire

Molalla RFPD #73

Park School N/A SCH 35 MOLALLA RIVER

Sewer

N/A

Water

N/A

Cable CPO

Wave Broadband (Molalla)

Garb/Recyc

Molalla

City/County

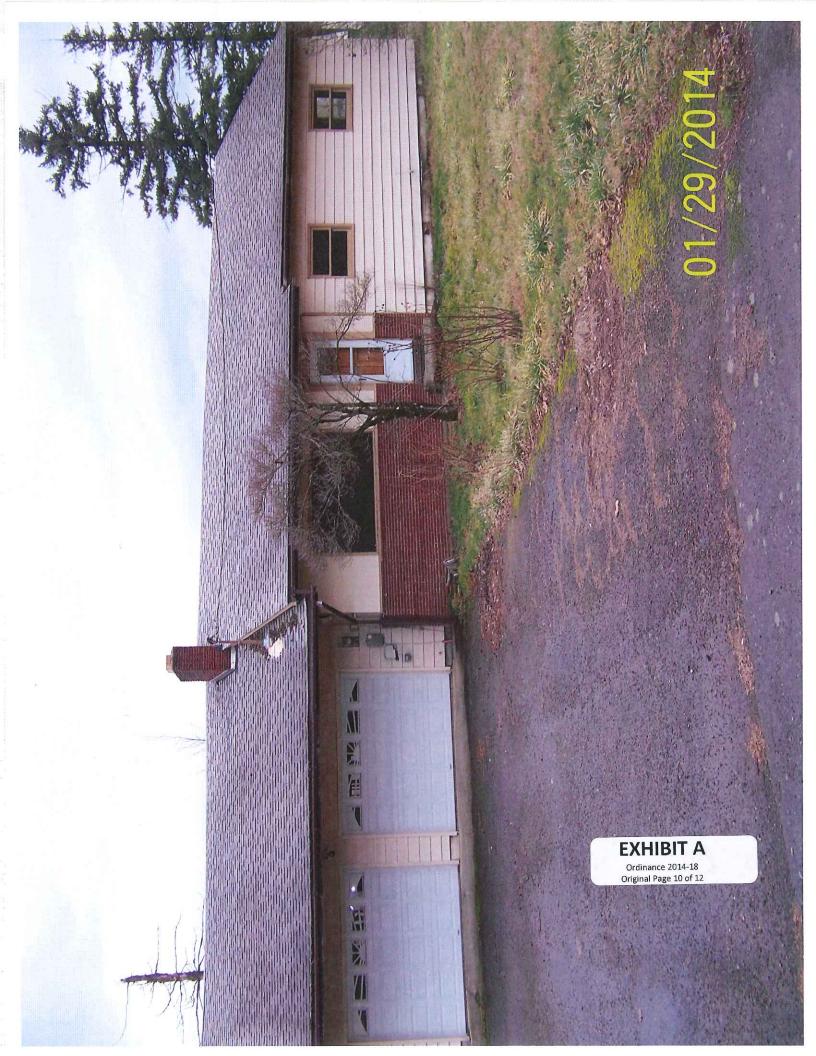
Molalla Sanitary **Clackamas County** 

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**EXHIBIT A** 

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## **Property Report**

WEST LN

NAYLOR MICHAEL G & MARIANNE R 721 W MAIN ST MOLALLA, OR 97038

Site Address:

721 W MAIN ST

Taxlot Number:

52E08AC04100

Land Value:

109494

**Building Value:** 

146250

Total Value:

255744

Acreage:

Year Built:

1950

Sale Date:

04/01/1993

Sale Amount:

62500

Sale Type:

Land Class:

101

**Building Class:** 

14

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035040

Site Characteristics:

211

Location Map:

UGB:

MOLALLA Not Available

Flood Zone:

Zone

Overlays:

Zoning Designation(s):

Acreage:

RIDINGSAVE

RRFF5

1.03

Fire

Molalla RFPD #73

Park School N/A

Sewer

SCH 35 MOLALLA RIVER N/A

Water

N/A

Cable

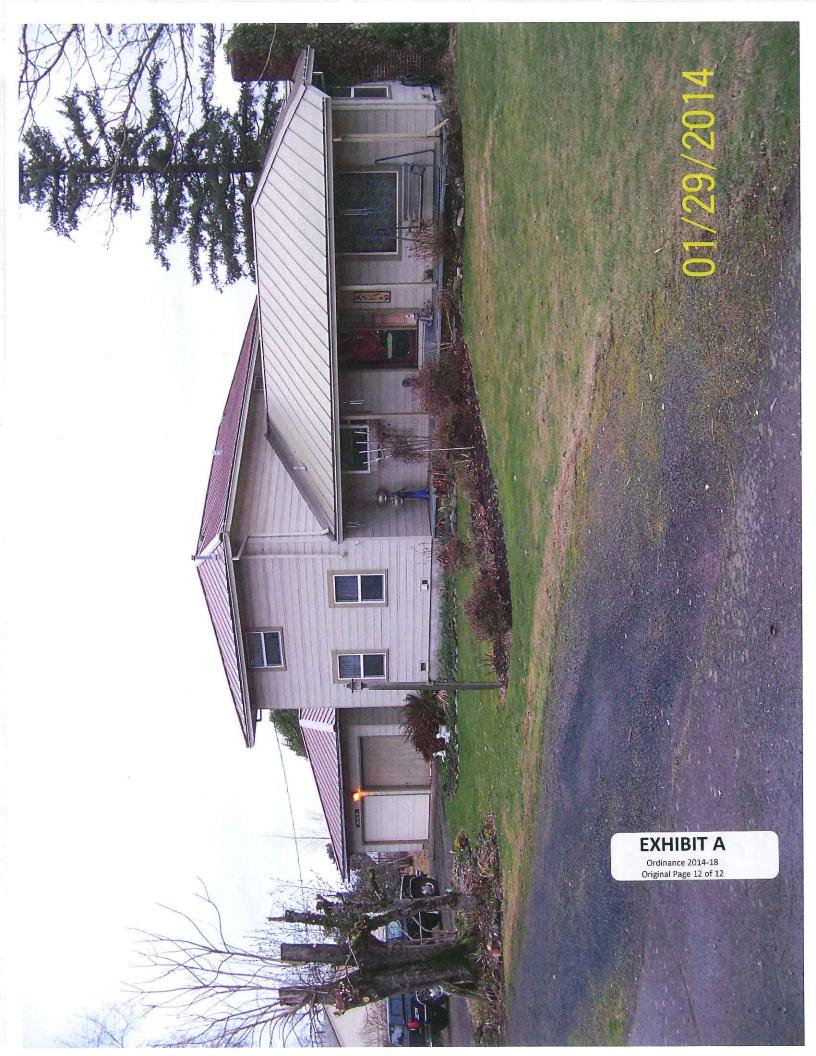
Wave Broadband (Molalla)

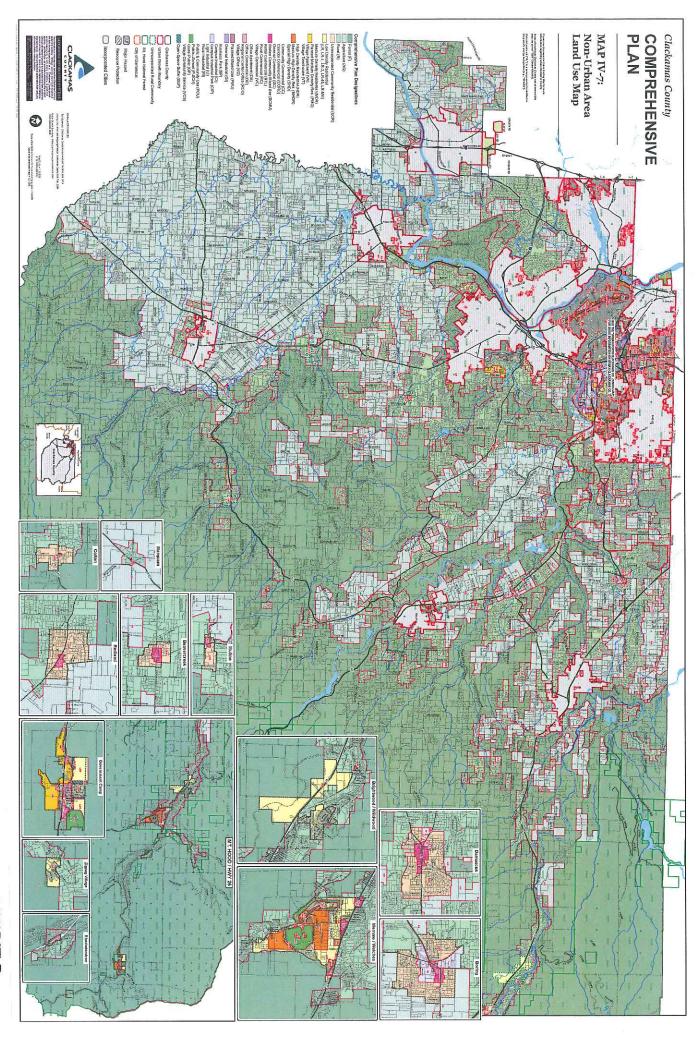
CPO

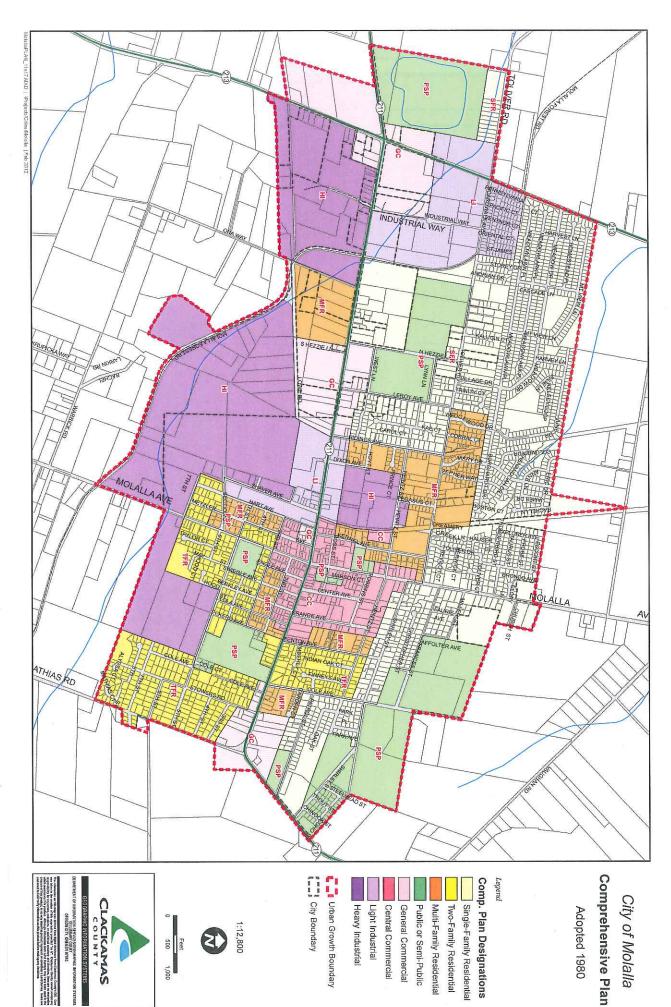
Molalla

Garb/Recyc City/County Molalla Sanitary Clackamas County

Ordinance 2014-18 Original Page 11 of 12









#### CITY OF MOLALLA

#### **ORDINANCE No. 2014 - 19**

# AN ORDINANCE ANNEXING ISLAND TERRITORY INTO THE CITY OF MOLALLA, WITHDRAWING THE TERRITORY FROM SPECIAL DISTRICTS, AMENDING THE COMPREHESIVE PLAN AND REZONING PROPERTY.

WHEREAS, pursuant to ORS 222.750, the City of Molalla ("City") initiated annexation of territory surrounded by the corporate boundaries of the City (Case File No. P-6-2014);

WHEREAS, the City notified affected property owners and others entitled to notice under the City's code and notified the state of its intent to annex such territory;

**WHEREAS**, on June 4, 2014, the Molalla Planning Commission held a duly noticed public hearing to consider the annexation of several islands surrounded by the City's corporate boundaries;

WHEREAS, the planning commission recommended the Molalla City Council annex the islands in accordance with the City's code and state law; and

**WHEREAS**, the city council held a public hearing on July 9, 2014 and decided to annex the islands, withdraw the islands from certain districts, amend the properties' comprehensive plan designations and change the zoning on the properties from county to city zoning.

**NOW, THEREFORE,** the City of Molalla ordains:

**Section 1.** The real properties that are the subject of this ordinance are located in a tract of land being all of Lots 7 & 8 of the Plat of "Cascade Acres No. 1" (Plat No. 642) and all of Lots 23 & 24 of the Plat of "Hadley Addition" (Plat No. 1777), all located in the Northeast one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon:

Tax Lot No. 52E08AC01900

Tax Lot No. 52E08AC01800

Tax Lot No. 52E08AC02600

Tax Lot No. 52E08AC02590

Tax Lot No. 52E08AC02890

These properties are annexed into the City of Molalla. A meets and bounds legal description, surveyor's map, current Clackamas County Property Report and a time stamped photo of the property are attached and incorporated as Exhibit A.

**Section 2.** The existing Clackamas County comprehensive plan designation, R (Rural Residential), is changed to a City plan designation of SFR (Single Family Residential). This change is supported by findings, attached and incorporated as Exhibit B.

**Section 3.** The existing Clackamas County zoning for the affected property, RRFF5 (Rural, Residential, Farm/Forest, 5-acre Minimum Lot Size) is changed to R-1 (Single Family Residential). The properties are currently:

Tax Lot No. 52E08AC01900 Residential – In Use Tax Lot No. 52E08AC01800 Residential – In Use Tax Lot No. 52E08AC02600 Residential – In Use Tax Lot No. 52E08AC02590 Residential – In Use Tax Lot No. 52E08AC02890 Residential – In Use

**Section 4.** The territory is withdrawn from the following service/special districts: None noted.

**Section 5.** Lawfully established land uses occurring on or within the annexed territory may continue and will be treated as nonconforming uses after the effective date of annexation to the City.

**Section 6.** The Molalla City Recorder shall:

- 1. Mail a copy of this ordinance and attachments to the Oregon Department of Revenue;
- 2. Mail a copy of this ordinance to Clackamas County and all affected service districts;
- 3. Mail a copy of this ordinance to the Oregon Department of Land Conservation and Development, together with the appropriate forms required by the department; and
- 4. If the property owner of the annexed territory appeared before the planning commission or city council, mail a notice to the property owner summarizing this ordinance and describing the owner's right to appeal this decision.

Adopted this 9th day of July by the City Co	ouncil of the City of Molalla on a vote of ayes and
	Mayor Deborah Rogge
Attest this 9th day of July 2014	
City Recorder Sadie Cramer	

#### **ZTec Engineers, Inc.**

John McL. Middleton, P.E.

Civil ♦ Structural ♦ Surveying

Chris C. Fischborn, P.L.S. 3737 SE 8<sup>th</sup> Ave. Portland, OR 97202 503-235-8795

FAX: 503-233-7889 Email: chris@ztecengineers.com

312 & 317 S. Leroy Avenue, 402 & 404 Carol Court Annexation to the City of Molalla

Exhibit A

A Tract of land being all of Lots 7 & 8 of the Plat of "Cascade Acres No. 1" (Plat No. 642) and all of Lots 23 & 24 of the Plat of "Hadley Addition" (Plat No. 1777), all located in the Northeast one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon. Said Tract of land being more particularly described as follows:

Beginning at the Northwesterly corner of the Plat of "Clark Estates" (Plat No. 3934), said point being on the Easterly right of way line of S. Leroy Avenue; thence North 82°00'00" West, at right angles to said S. Leroy Avenue, a distance of 60.00 feet to a point on the Westerly right of way line of said S. Leroy Avenue; thence North 08°00'00" East, along said Westerly right of way line, a distance of 219.92 feet to a point; thence South 82°00'00" East, at right angles to said S. Leroy Avenue, a distance of 60.00 feet to a point on said Easterly right of way line, said point also being the Southwesterly corner of Partition Plat No. 2003-049; thence South 82°00'00" East, along the Southerly boundary line of said Partition Plat No. 2003-049, a distance of 300.25 feet to the Southeasterly corner thereof, said point also being on the Westerly line of said Plat of "Hadley Addition"; thence South 08°00'00" West, along said Westerly line, a distance of 81.67 feet to the Northwesterly corner of said Lot 24 of said "Hadley Addition"; thence South 82°00'00" East, along the North line of said Lot 24, a distance of 118.00 feet to the Northeast corner thereof, said point also being on the Westerly right of way line of Carol Court; thence South 08°00'00" West, along said Westerly right of way line, a distance of 52.55 feet to a point of curve; thence continuing along said Westerly right of way line, along a 10.00 foot radius curve to the right, through a central angle of 54°19'00", an arc distance of 9.48 feet (the long chord of said curve bears South 35°09'30" West a distance of 9.13 feet) to a point of reverse curve; thence continuing along said Westerly right of way line. along a 50.00 foot radius curve to the left, through a central angle of 98°41′50", an arc distance of 86.13 feet (the long chord of said curve bears South 12°58'05" West a distance of 75.87 feet to the Southeasterly corner of Lot 23 of said "Hadley Addition";

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Chris Tiselban
OREGON
JULY 17, 1981
CHRIS FISCHBORN
1944

EXHIBIT A

Ronald b. Sellards, P.E.

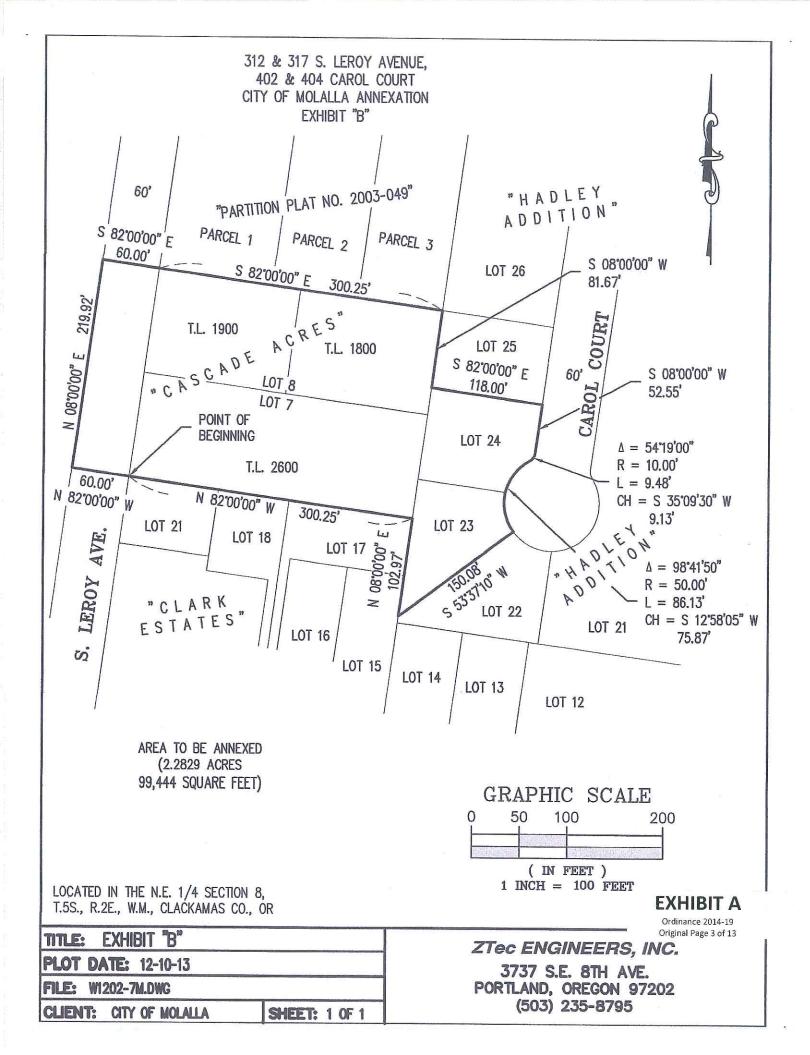
Ordinance 2014-19 Original Page 1 of 13 thence South 53°37′10″ West, along the Southeasterly line of said Lot 23, a distance of 150.08 feet to a point on the boundary line common to said "Hadley Addition" and said "Clark Estates"; thence North 08°00′00″ East, along said common line, a distance of 102.97 feet to the Northeasterly corner of said "Clark Estates"; thence North 82°00′00″ West, along the Northerly line of said "Clark Estates", a distance of 300.25 feet to the true point of beginning of the Tract of land herein described.

Said Tract of land contains an area of 2.2829 acres (99,444 square feet), more or less.

The bearings and distances in this description are based on the Plats of "Clark Estates" and "Hadley Addition", and on Clackamas County Survey No. 2005-119.

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 17, 1991
CHRIS FISCHBORN
1944





## **Property Report**

MARSON FRANK J SR 317 S LEROY AVE MOLALLA, OR 97038

Site Address:

317 S LEROY AVE

Taxlot Number:

52E08AC01900

Land Value:

68425

Building Value:

114960

Total Value:

183385

Acreage:

Year Built:

1948

Sale Date:

Sale Amount:

Sale Type:

Land Class:

101

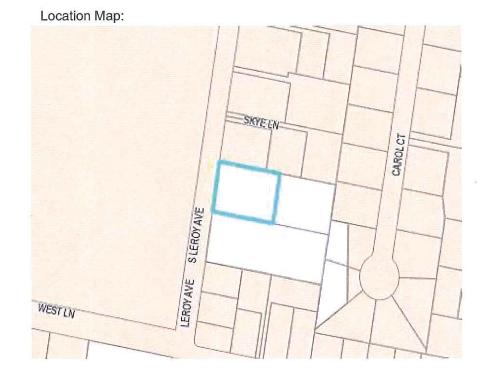
**Building Class:** 

14

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035013



Site Characteristics:

UGB:

Flood Zone:

**MOLALLA** 

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

RRFF5

0.39

Fire

Molalla RFPD #73

Park School

**SCH 35 MOLALLA RIVER** 

Sewer Water

N/A

N/A

Cable

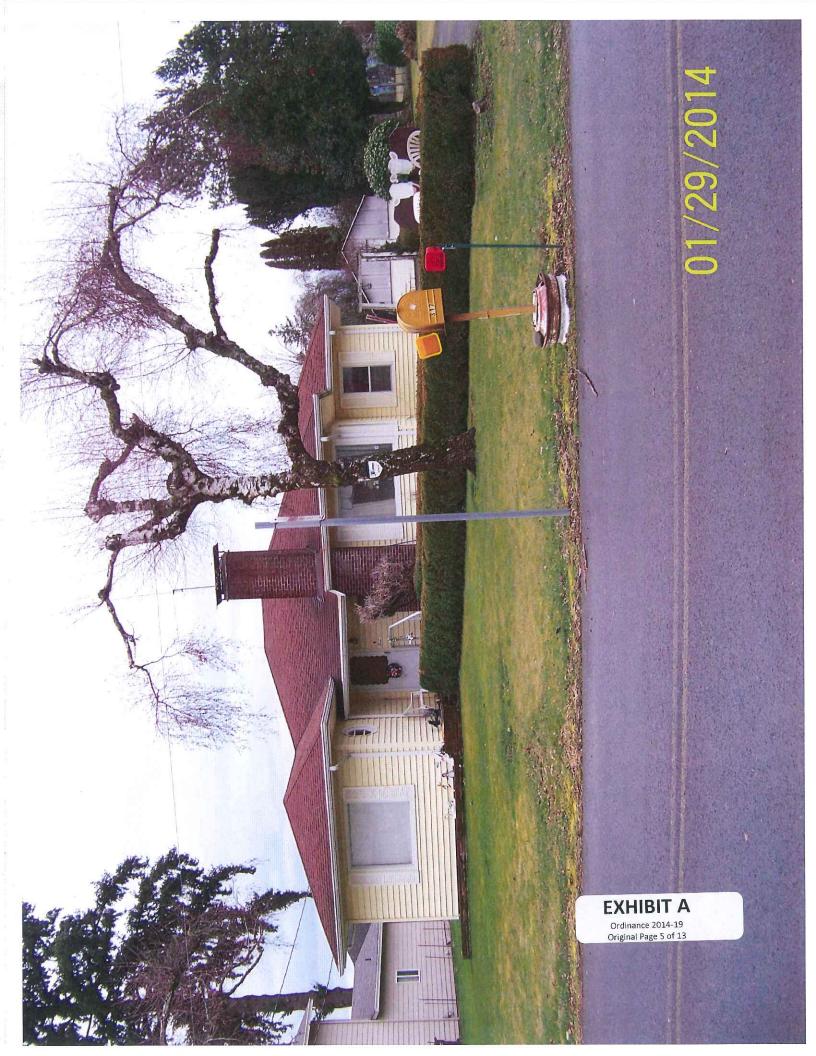
Wave Broadband (Molalla)

CPO

Molalla

Garb/Recyc City/County **Molalla Sanitary Clackamas County** 

> **EXHIBIT A** Ordinance 2014-19 Original Page 4 of 13





#### **Property Report**

MARSON FRANK J SR 317A S LEROY AVE MOLALLA, OR 97038

Site Address:

317A S LEROY AVE

Taxlot Number:

52E08AC01800

Land Value:

17404

Building Value:

1300

Total Value:

18704

Acreage:

0.00

Year Built:

Sale Date:

Sale Amount:

Sale Type:

Land Class:

101

**Building Class:** 

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035013

Fire

Molalla RFPD #73

Park School

**SCH 35 MOLALLA RIVER** N/A Sewer

Water

Cable

N/A

Wave Broadband (Molalla) CPO Molalla

Garb/Recyc City/County **Molalla Sanitary Clackamas County** 

Location Map:



Site Characteristics:

UGB:

Flood Zone:

**MOLALLA** 

Not Available

Zoning Designation(s):

Zone

Overlays:

R1 RRFF5 0.00 0.36

Acreage:

**EXHIBIT A** 

Ordinance 2014-19 Original Page 6 of 13





## Property Report

**BLACKBURN WILLIAM ROBERT & GAIL E** 312 S LEROY AVE MOLALLA, OR 97038

Site Address:

312 S LEROY AVE

Taxlot Number:

52E08AC02600

Land Value:

75625

Building Value:

113470

Total Value:

189095

Acreage:

Year Built:

1948

Sale Date:

Sale Amount:

Sale Type:

Land Class:

101

**Building Class:** 

13

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035013

Fire Molalla RFPD #73

Park

School **SCH 35 MOLALLA RIVER** 

Sewer Water N/A N/A

Cable

Wave Broadband (Molalla)

CPO

Molalla Garb/Recyc **Molalla Sanitary** 

City/County

Clackamas County

Location Map:



Site Characteristics:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

RRFF5

0.76

**EXHIBIT A** 

Ordinance 2014-19 Original Page 8 of 13





## **Property Report**

**HETTICK RICHARD K & SHIRLEY 404 CAROL CT** MOLALLA, OR 97038

Site Address:

404 CAROL CT

Taxlot Number:

52E08AC02590

Land Value:

23988

**Building Value:** 

0

Total Value:

23988

Acreage:

Year Built:

Sale Date:

Sale Amount:

Sale Type:

Land Class:

100

**Building Class:** 

Neighborhood:

City of Molalla 100, 101

Taxcode Districts: 035013

Fire

Molalla RFPD #73

Park School

**SCH 35 MOLALLA RIVER** 

Sewer Water N/A

Cable

N/A Wave Broadband (Molalla)

CPO

Molalla

Garb/Recyc City/County **Molalla Sanitary** Clackamas County Location Map:



Site Characteristics:

UGB:

Flood Zone:

MOLALLA

Not Available

Zoning Designation(s):

Zone

RRFF5

Overlays:

Acreage:

0.11

**EXHIBIT A** 

Ordinance 2014-19 Original Page 10 of 13





#### **Property Report**

**BATTIN I LAUREL 402 CAROL CT** MOLALLA, OR 97038

Site Address:

**402 CAROL CT** 

Taxlot Number:

52E08AC02890

Land Value:

48913

**Building Value:** 

73560

Total Value:

122473

Acreage:

0.00

Year Built:

1974

Sale Date:

Sale Amount:

Sale Type:

Land Class:

101

**Building Class:** 

13

Neighborhood:

City of Molalla 100, 101

Taxcode Districts: 035013

Fire

Molalla RFPD #73

Park School

**SCH 35 MOLALLA RIVER** 

Sewer Water

N/A

Cable

N/A

CPO

Wave Broadband (Molalla)

Molalla

Garb/Recyc City/County **Molalla Sanitary Clackamas County**  Location Map:



Site Characteristics:

Flood Zone:

**MOLALLA** 

Not Available

Zoning Designation(s):

Zone

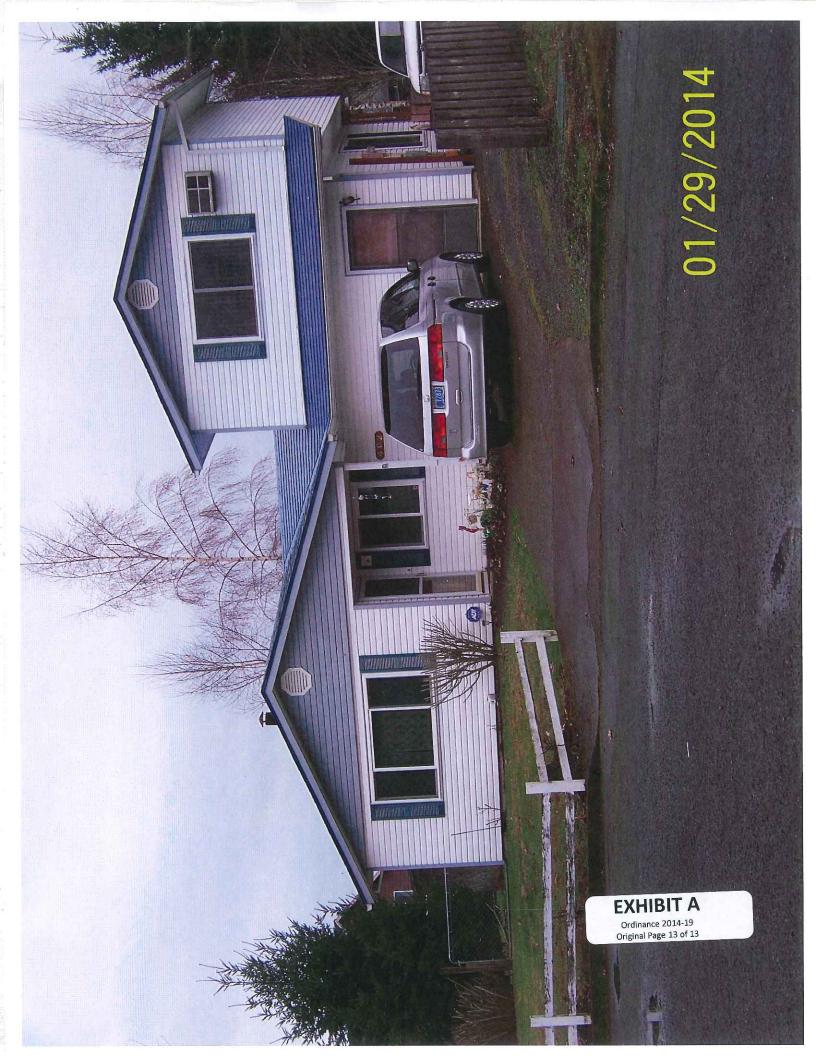
Overlays:

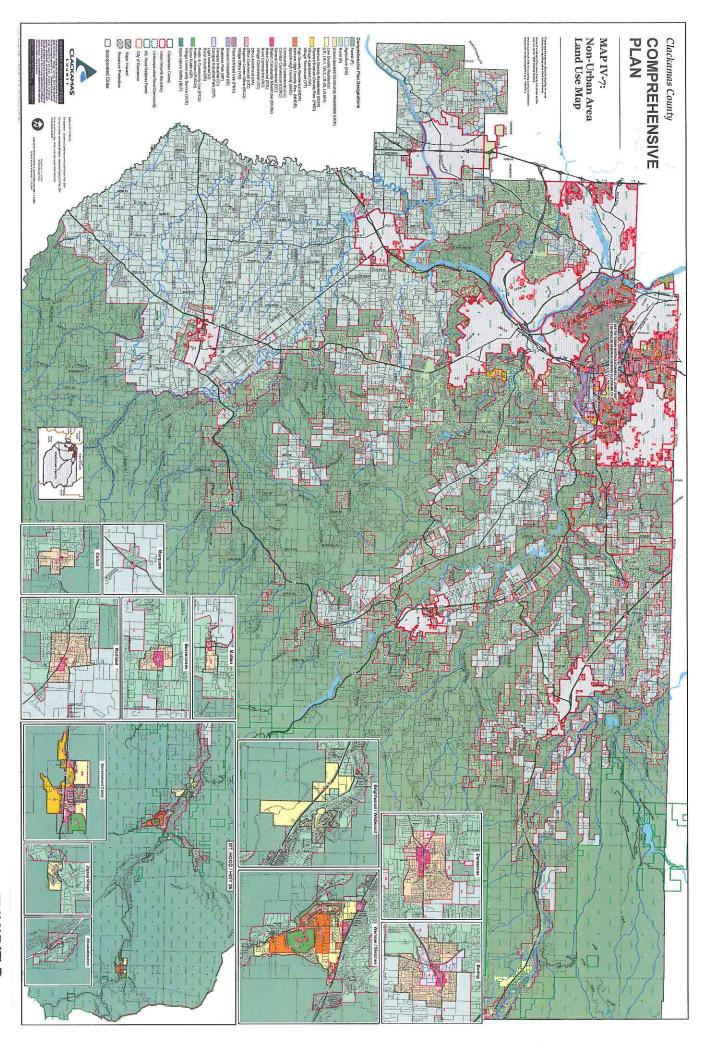
Acreage:

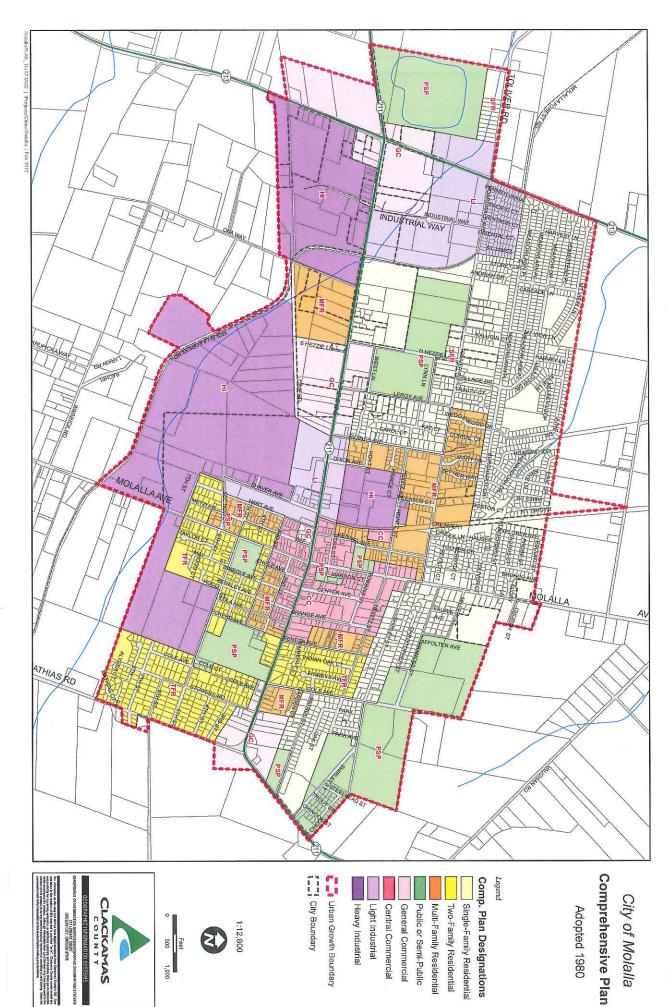
R1 RRFF5 0.00 0.18

**EXHIBIT A** 

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#### CITY OF MOLALLA

#### **ORDINANCE No. 2014 - 20**

# AN ORDINANCE ANNEXING ISLAND TERRITORY INTO THE CITY OF MOLALLA, WITHDRAWING THE TERRITORY FROM SPECIAL DISTRICTS, AMENDING THE COMPREHESIVE PLAN AND REZONING PROPERTY.

WHEREAS, pursuant to ORS 222.750, the City of Molalla ("City") initiated annexation of territory surrounded by the corporate boundaries of the City (Case File No. P-6-2014);

WHEREAS, the City notified affected property owners and others entitled to notice under the City's code and notified the state of its intent to annex such territory;

WHEREAS, on June 4, 2014, the Molalla Planning Commission held a duly noticed public hearing to consider the annexation of several islands surrounded by the City's corporate boundaries;

WHEREAS, the planning commission recommended the Molalla City Council annex the islands in accordance with the City's code and state law; and

**WHEREAS**, the city council held a public hearing on July 9, 2014 and decided to annex the islands, withdraw the islands from certain districts, amend the properties' comprehensive plan designations and change the zoning on the properties from county to city zoning.

NOW, THEREFORE, the City of Molalla ordains:

**Section 1.** The real properties that are the subject of this ordinance are located in a tract of land being a portion of the Plat of "Trinity Estates" (Plat No. 4076) located in the Northwest one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon:

Tax Lot No. 52E08BA00201

Tax Lot No. 52E08BA00202

Tax Lot No. 52E08BA00203

Tax Lot No. 52E08BA00204

Tax Lot No. 52E08BA00205

Tax Lot No. 52E08BA00206

Tax Lot No. 52E08BA00207

Tax Lot No. 52E08BA00208

Tax Lot No. 52E08BA00209

Tax Lot No. 52E08BA00210

Tax Lot No. 52E08BA00211

Tax Lot No. 52E08BA00212

Tax Lot No. 52E08BA00216

Tax Lot No. 52E08BA00217

Tax Lot No. 52E08BA00218
Tax Lot No. 52E08BA00219
Tax Lot No. 52E08BA00220
Tax Lot No. 52E08BA00221
Tax Lot No. 52E08BA00222
Tax Lot No. 52E08BA00223
Tax Lot No. 52E08BA00224
Tax Lot No. 52E08BA00224
Tax Lot No. 52E08BA00225

These properties are annexed into the City of Molalla. A meets and bounds legal description, surveyor's map, current Clackamas County Property Report and a time stamped photo of the property are attached and incorporated as Exhibit A.

**Section 2.** The existing Clackamas County comprehensive plan designation, R (Rural Residential), is changed to a City plan designation of SFR (Single Family Residential). This change is supported by findings, attached and incorporated as Exhibit B.

**Section 3.** The existing Clackamas County zoning for the affected property, R-3 (Multi-Family Residential) is changed to R-1 (Single Family Residential). The properties are currently:

Tax Lot No. 52E08BA00201	Residential – In Use
Tax Lot No. 52E08BA00202	Residential – In Use
Tax Lot No. 52E08BA00203	Residential – In Use
Tax Lot No. 52E08BA00204	Residential – In Use
Tax Lot No. 52E08BA00205	Residential – In Use
Tax Lot No. 52E08BA00206	Residential – In Use
Tax Lot No. 52E08BA00207	Residential – In Use
Tax Lot No. 52E08BA00208	Residential – In Use
Tax Lot No. 52E08BA00209	Residential – In Use
Tax Lot No. 52E08BA00210	Residential – In Use
Tax Lot No. 52E08BA00211	Residential – In Use
Tax Lot No. 52E08BA00212	Residential – In Use
Tax Lot No. 52E08BA00216	Residential – In Use
Tax Lot No. 52E08BA00217	Residential – In Use
Tax Lot No. 52E08BA00218	Residential – In Use
Tax Lot No. 52E08BA00219	Residential – In Use
Tax Lot No. 52E08BA00220	Residential – In Use
Tax Lot No. 52E08BA00221	Residential – In Use
Tax Lot No. 52E08BA00222	Residential – In Use
Tax Lot No. 52E08BA00223	Residential – In Use
Tax Lot No. 52E08BA00224	Residential – In Use
Tax Lot No. 52E08BA00225	Residential – In Use

**Section 4.** The territory is withdrawn from the following service/special districts: None noted.

**Section 5.** Lawfully established land uses occurring on or within the annexed territory may continue and will be treated as nonconforming uses after the effective date of annexation to the City.

#### **Section 6.** The Molalla City Recorder shall:

- 1. Mail a copy of this ordinance and attachments to the Oregon Department of Revenue;
- 2. Mail a copy of this ordinance to Clackamas County and all'affected service districts;
- 3. Mail a copy of this ordinance to the Oregon Department of Land Conservation and Development, together with the appropriate forms required by the department; and
- 4. If the property owner of the annexed territory appeared before the planning commission or city council, mail a notice to the property owner summarizing this ordinance and describing the owner's right to appeal this decision.

Adopted this 9th day of July by the City Cou	ncil of the City of Molalla on a vote of $\_$	ayes and
nays.		
	Mayor Deborah Rogge	
Attest this 9th day of July 2014		
City December Codin Comment		
City Recorder Sadie Cramer		

#### **ZTec Engineers, Inc.**

Civil ♦ Structural ♦ Surveying

John McL. Middleton, P.E.

Chris C. Fischborn, P.L.S. 3737 SE 8<sup>th</sup> Ave. Portland, OR 97202 503-235-8795 FAX: 503-233-7889

Email: chris@ztecengineers.com

Ronald b. Sellards, P.E.

Trinity Estates
Annexation to the City of Molalla

#### Exhibit A

A Tract of land being a portion of the Plat of "Trinity Estates" (Plat No. 4076) located in the Northwest one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon. Said Tract of land being more particularly described as follows:

Beginning at the Southwesterly corner of said Plat of "Trinity Estates", said point being on the Northerly right of way line of S. Toliver Road; thence North 07°49′54″ East, along the Westerly boundary of said Plat, a distance of 633.67 feet to the Northwesterly corner of said Plat; thence South 82°29′35″ East, along the Northerly boundary of said Plat, a distance of 288.92 feet to a point that is 133.00 feet Westerly of, when measured at right angles, the Easterly boundary line of said Plat; thence South 07°50′16″ West, parallel with and 133.00 feet Westerly of, when measured at right angles, said Easterly line of said Plat, a distance of 633.80 feet to a point on said Northerly right of way line of said S. Toliver Road; thence South 07°32′00″ West, at right angles to said S. Toliver Road, a distance of 50.00 feet to a point on the Southerly right of way line, a distance of 288.85 feet to a point; thence North 07°32′00″ East, at right angles to said S. Toliver Road, a distance of 50.00 feet to the true point of beginning of the Tract of land herein described.

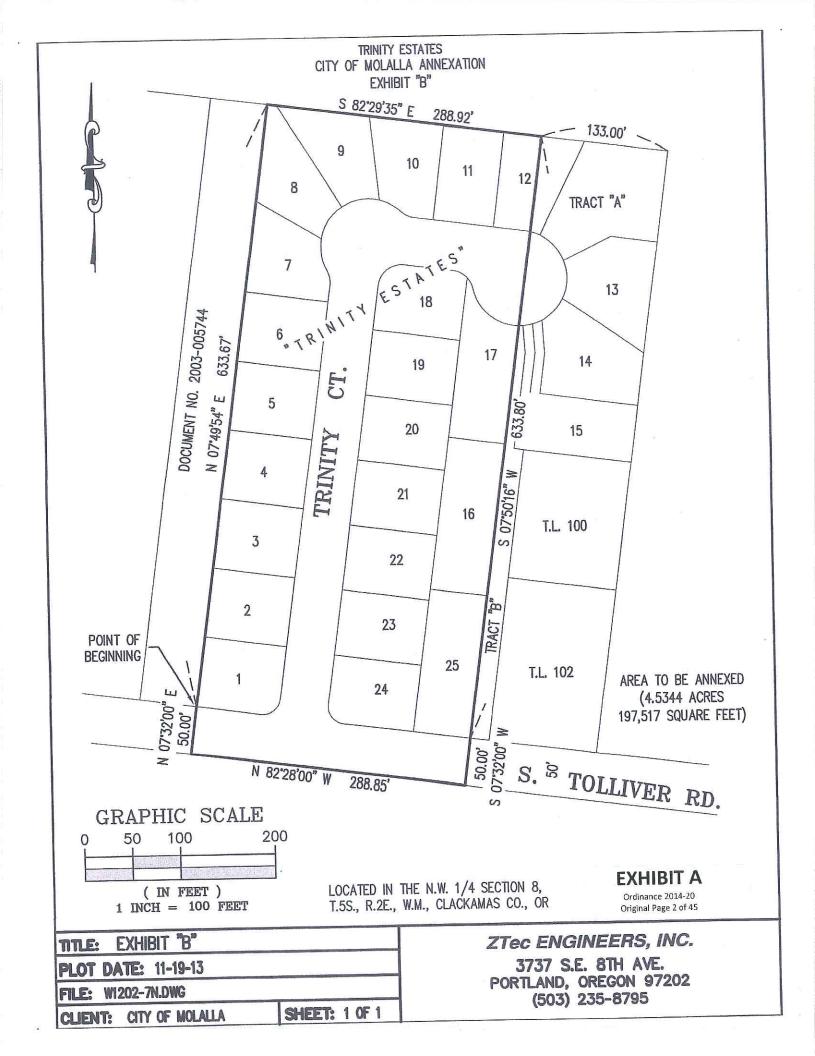
Said Tract of land contains an area of 4.5344 acres (197,517 square feet), more or less.

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 17, 1981
CHRIS FISCHBORM
1944

**EXHIBIT A** 

Ordinance 2014-20 Original Page 1 of 45





## **Property Report**

**MURRELL ZACH & TESSA** 646 TRINITY CT MOLALLA, OR 97038

Site Address:

646 TRINITY CT

Taxlot Number:

52E08BA00201

Land Value:

69834

**Building Value:** 

104970

Total Value:

174804

Acreage:

Year Built:

2011

Sale Date:

08/02/2011

Sale Amount:

180000

Sale Type:

S

Land Class:

101

**Building Class:** 

14

Neighborhood:

City of Molalla newer

Taxcode Districts: 035013

Fire

Molalla RFPD #73

Park

**SCH 35 MOLALLA RIVER** 

School Sewer

N/A N/A

Water Cable CPO

City

Garb/Recyc

City/County

City

Molalla Sanitary

Location Map:



Site Characteristics:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

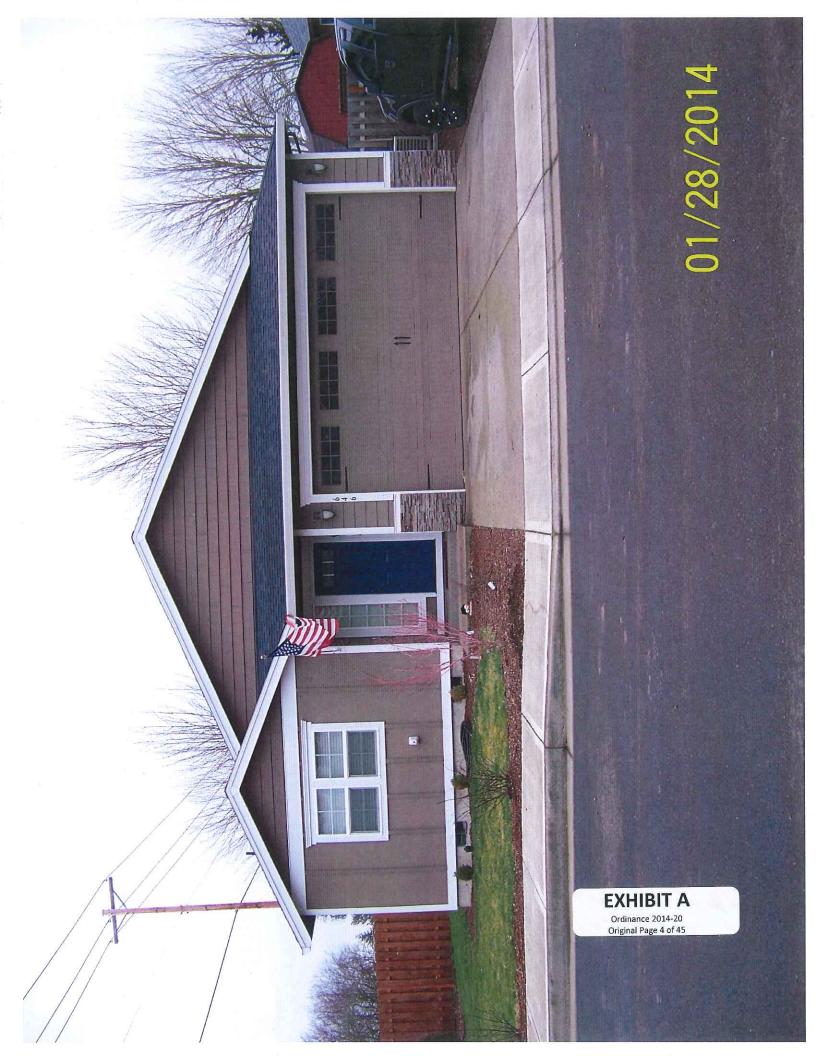
Acreage:

R3

0.14

**EXHIBIT A** 

Ordinance 2014-20 Original Page 3 of 45





## **Property Report**

JOHNSON TERESA LYNN 660 TRINITY CT MOLALLA, OR 97038

Site Address:

660 TRINITY CT

Taxlot Number:

52E08BA00202

Land Value:

69834

Building Value:

111120

Total Value:

180954

Acreage:

Year Built:

2008

0

Sale Date:

07/20/2012

Sale Amount:

Sale Type:

Land Class:

**Building Class:** 

14

Neighborhood:

City of Molalla newer

Taxcode Districts: 035013

Fire

Molalla RFPD #73

Park

School **SCH 35 MOLALLA RIVER** Sewer N/A

Water

Cable CPO

N/A City

Garb/Recyc

City Molalla Sanitary

City/County

Molalla



Site Characteristics:

UGB:

MOLALLA

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

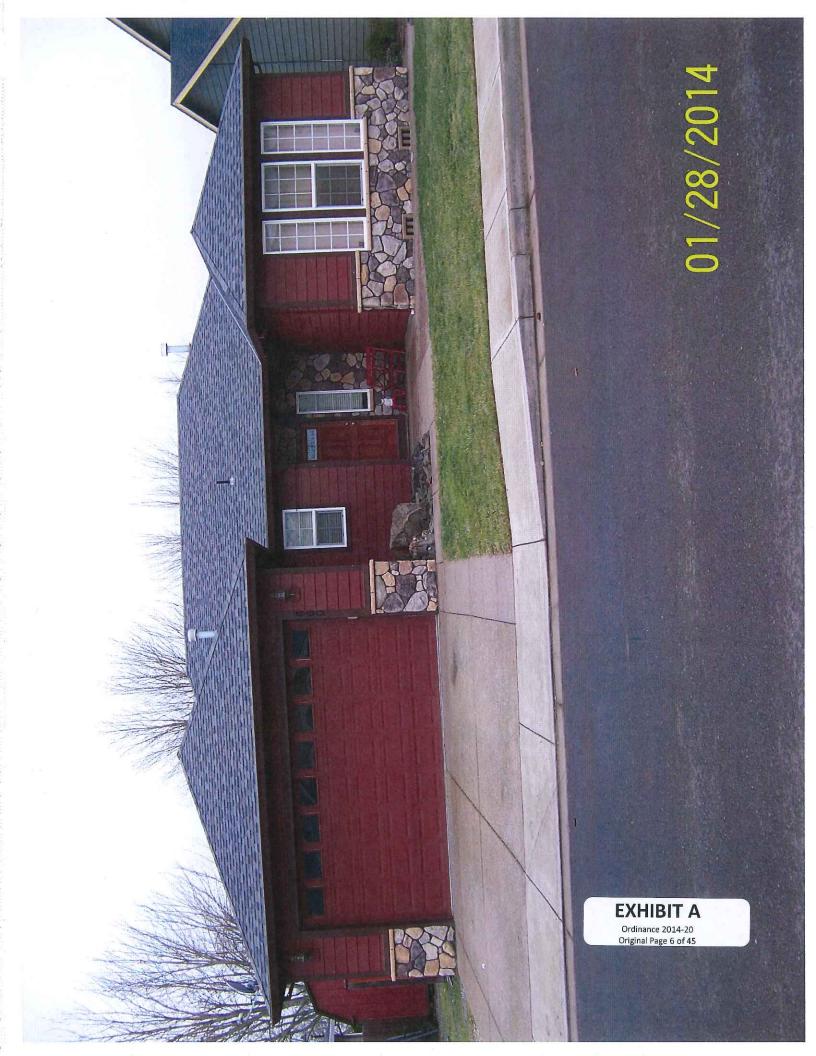
Acreage:

R3

0.14

**EXHIBIT A** 

Ordinance 2014-20 Original Page 5 of 45





### **Property Report**

**VANNICE MARY 682 TRINITY CT** MOLALLA, OR 97038

Site Address:

**682 TRINITY CT** 

Taxlot Number:

52E08BA00203

Land Value:

69834

Building Value:

139340

Total Value:

209174

Acreage:

Year Built:

2007

Sale Date:

05/20/2009

Sale Amount:

255000

Sale Type:

Land Class:

101

**Building Class:** 

14

Neighborhood:

City of Molalla newer

Taxcode Districts: 035013

Fire

Molalla RFPD #73

Park

School Sewer

**SCH 35 MOLALLA RIVER** 

Water

N/A N/A

Cable

City

CPO

City

Garb/Recyc

Molalla Sanitary

City/County

Molalla

Location Map:



Site Characteristics:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

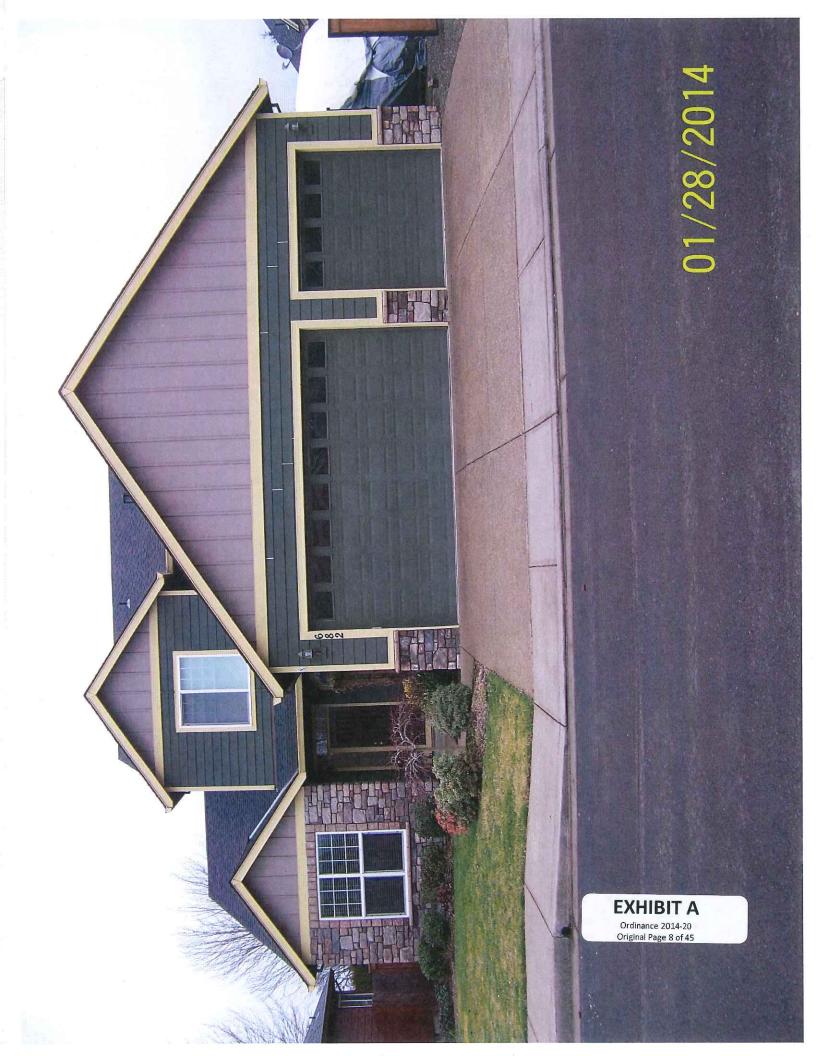
Acreage:

R3

0.14

**EXHIBIT A** 

Ordinance 2014-20 Original Page 7 of 45





# **Property Report**

**KUTCHER LANI & BECKY 692 TRINITY CT** MOLALLA, OR 97038

Site Address:

**692 TRINITY CT** 

Taxlot Number:

52E08BA00204

Land Value:

69834

Building Value:

110430

Total Value:

180264

Acreage:

Year Built:

2006

Sale Date:

01/30/2012

Sale Amount:

199950

Sale Type:

Land Class:

101

**Building Class:** 

14

Neighborhood:

City of Molalla newer

Taxcode Districts: 035013

Fire

Molalla RFPD #73

Park School

**SCH 35 MOLALLA RIVER** 

Sewer Water

N/A N/A

Cable CPO

City City

Molalla

Garb/Recyc

Molalla Sanitary

City/County

Location Map:



Site Characteristics:

UGB:

Flood Zone:

MOLALLA

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

R3

0.14

**EXHIBIT A** 

Ordinance 2014-20 Original Page 9 of 45





# **Property Report**

**SANTOS CARLOS S** 700 TRINITY CT MOLALLA, OR 97038

Site Address:

**700 TRINITY CT** 

Taxlot Number:

52E08BA00205

Land Value:

69834

**Building Value:** 

114000

Total Value:

183834

Acreage:

Year Built:

2006

Sale Date:

09/17/2012

Sale Amount:

183000

Sale Type:

S

Land Class:

101

**Building Class:** 

14

Neighborhood:

City of Molalla newer

Taxcode Districts: 035013

Fire

Molalla RFPD #73

Park School

**SCH 35 MOLALLA RIVER** N/A

Sewer Water

N/A

Cable

City

CPO

City

Garb/Recyc

City/County

Molalla Sanitary

Location Map:



Site Characteristics:

UGB:

Flood Zone:

**MOLALLA** 

Not Available

Zoning Designation(s):

**Zone** 

Overlays:

Acreage:

R3

0.14

**EXHIBIT A** 

Ordinance 2014-20 Original Page 11 of 45





### **Property Report**

**OLSEN MATT & JENNIFER** 706 TRINITY CT MOLALLA, OR 97038

Site Address:

**706 TRINITY CT** 

Taxlot Number:

52E08BA00206

Land Value:

69834

Building Value:

110480

Total Value:

180314

Acreage:

Year Built:

2006

Sale Date:

04/18/2007

Sale Amount:

269000

Sale Type:

Land Class:

101

**Building Class:** 

14

Neighborhood:

City of Molalla newer

Taxcode Districts: 035013

Fire

Molalla RFPD #73

Park

N/A

School Sewer

**SCH 35 MOLALLA RIVER** 

Water

N/A N/A

Cable CPO

City

Garb/Recyc

City

Molalla Sanitary

City/County Molalla Location Map: MEADOWLAWN PL WILLAGE DR 5 TRINITY (

Site Characteristics:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

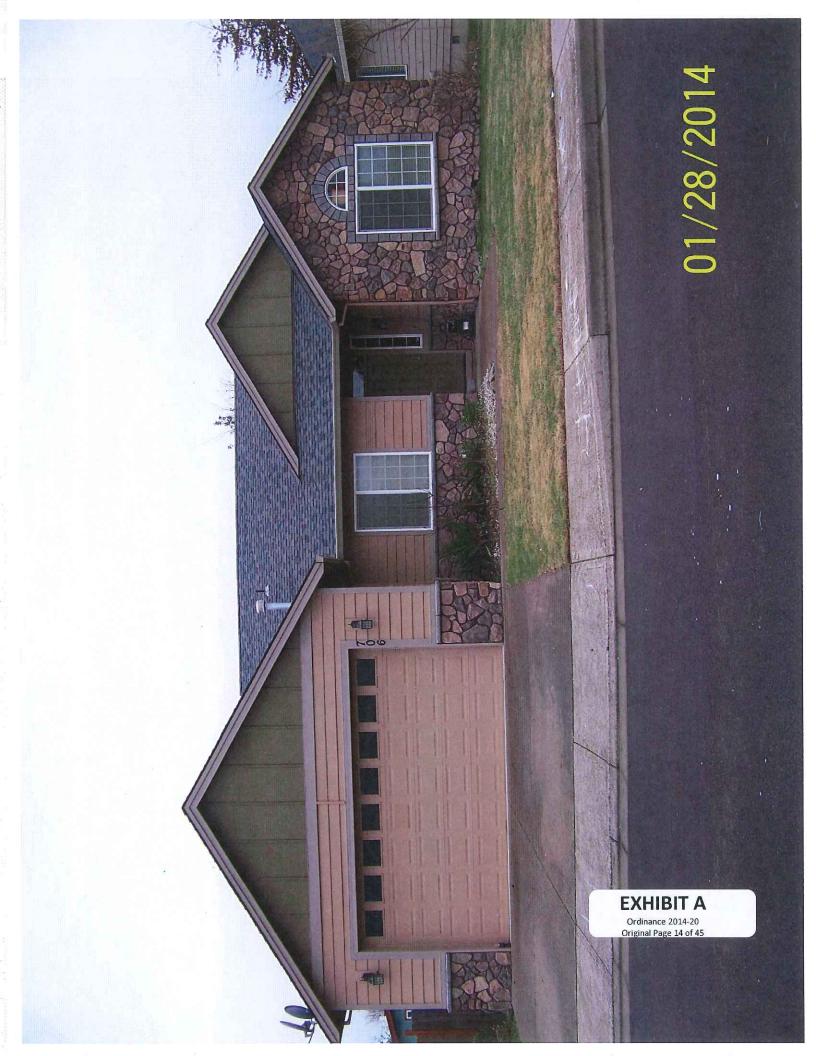
Acreage:

R3

0.14

**EXHIBIT A** 

Ordinance 2014-20 Original Page 13 of 45





# **Property Report**

**RUTLEDGE TOM & JANICE L** 712 TRINITY CT MOLALLA, OR 97038

Site Address:

712 TRINITY CT

Taxlot Number:

52E08BA00207

Land Value:

69834

Building Value:

108200

Total Value:

178034

Acreage:

Year Built:

2010

Sale Date:

07/27/2010

Sale Amount:

219000

Sale Type:

S

Land Class:

101

**Building Class:** 

14

Neighborhood:

City of Molalla newer

Taxcode Districts: 035013

Fire

Molalla RFPD #73

Park School

**SCH 35 MOLALLA RIVER** 

Sewer Water

N/A N/A

Cable

City

CPO

City

Garb/Recyc

Molalla Sanitary

City/County Molalla Location Map:



Site Characteristics:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

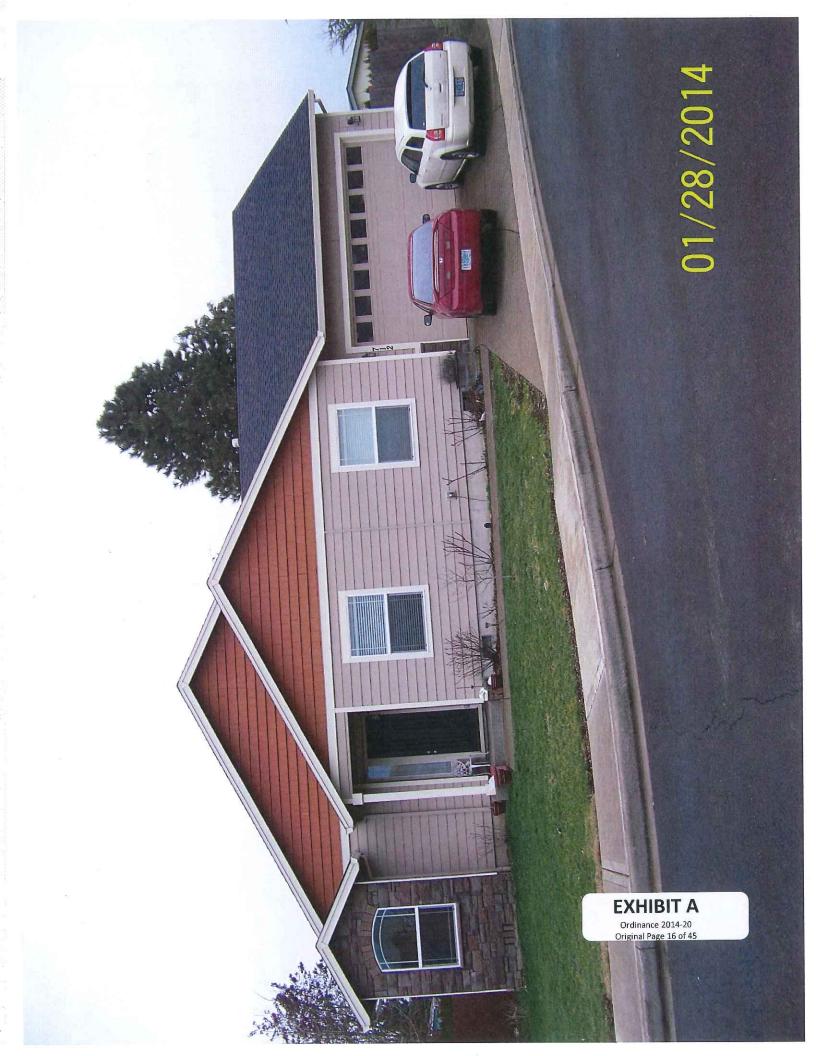
Acreage:

R3

0.14

**EXHIBIT A** 

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### **Property Report**

SCHULTZ GARY R & LYLA J 718 TRINITY CT MOLALLA, OR 97038

Site Address:

718 TRINITY CT

Taxlot Number:

52E08BA00208

Land Value:

69834

**Building Value:** 

112800

Total Value:

182634

Acreage:

Year Built:

2010

Sale Date:

04/15/2011

Sale Amount:

200000

Sale Type:

Land Class:

101

**Building Class:** 

14

Neighborhood:

City of Molalla newer

Taxcode Districts: 035013

Fire

Molalla RFPD #73

Park School

**SCH 35 MOLALLA RIVER** N/A

Sewer Water

N/A

Cable CPO

City City

Garb/Recyc **Molalla Sanitary** 

City/County Molalla Location Map:



Site Characteristics:

UGB:

MOLALLA

Flood Zone:

Not Available

Zoning Designation(s):

<u>Zone</u>

Overlays:

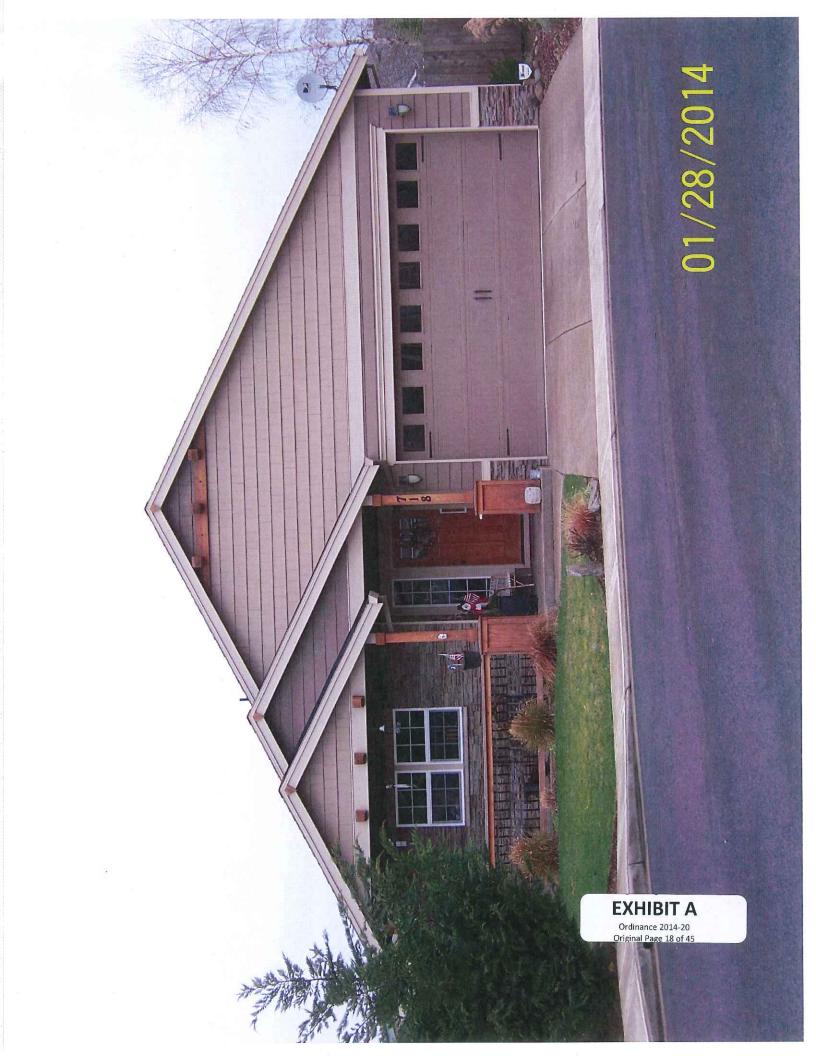
Acreage:

R3

0.15

**EXHIBIT A** 

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### **Property Report**

#### STRAUB JESSIE J & BREAL C **724 TRINITY CT** MOLALLA, OR 97038

Site Address:

**724 TRINITY CT** 

Taxlot Number:

52E08BA00209

Land Value:

69834

**Building Value:** 

106080

Total Value:

175914

Acreage:

Year Built:

2010

Sale Date:

06/28/2010

Sale Amount:

204900

Sale Type:

S

Land Class:

101

**Building Class:** 

14

Neighborhood:

City of Molalla newer

Taxcode Districts: 035013

Fire

Molalla RFPD #73

Park School N/A

**SCH 35 MOLALLA RIVER** N/A

Sewer Water

N/A

Cable CPO

City

Garb/Recyc

City

City/County

Molalla Sanitary

Location Map:



Site Characteristics:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

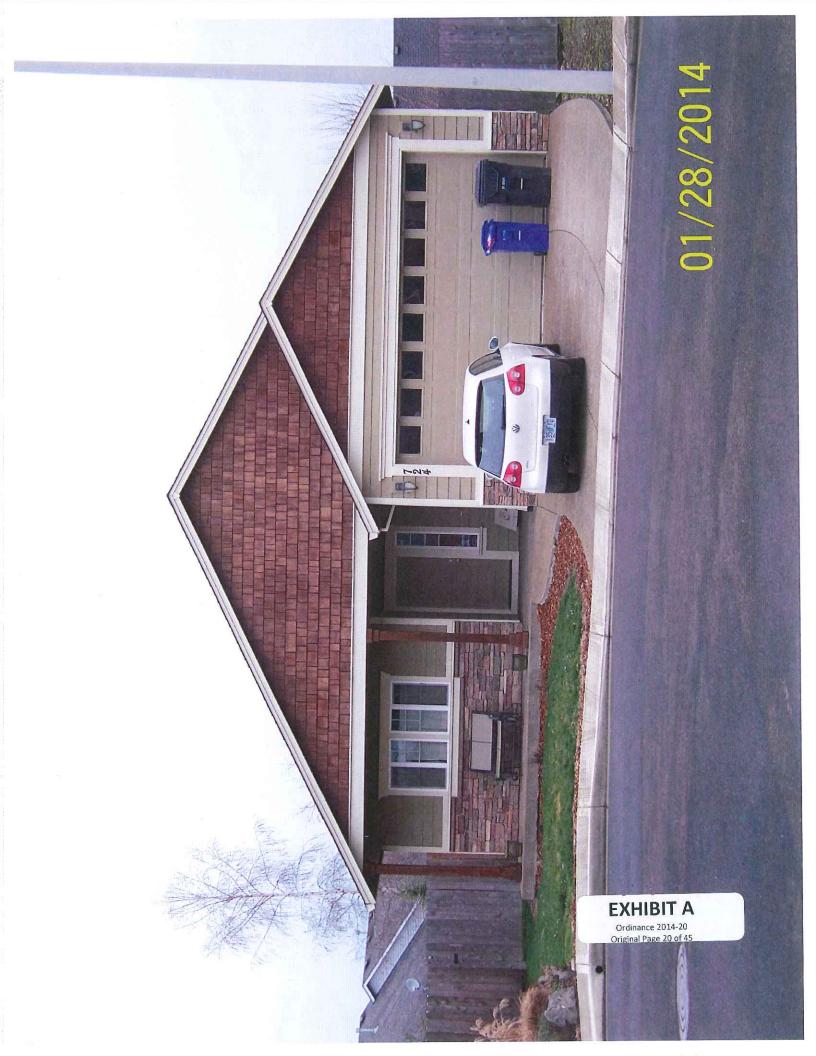
Acreage:

R3

0.15

**EXHIBIT A** 

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# **Property Report**

#### LIMBECK PAUL A & TRACY E 730 TRINITY CT MOLALLA, OR 97038

Site Address:

730 TRINITY CT

Taxlot Number:

52E08BA00210

Land Value:

69834

**Building Value:** 

112450

Total Value:

182284

Acreage:

Year Built:

2008

Sale Date:

11/11/2009

Sale Amount:

235000

Sale Type:

Land Class:

101

**Building Class:** 

14

Neighborhood:

City of Molalla newer

Taxcode Districts: 035013

Fire

Molalla RFPD #73

Park School N/A

**SCH 35 MOLALLA RIVER** N/A

Sewer Water

N/A

Cable CPO

City

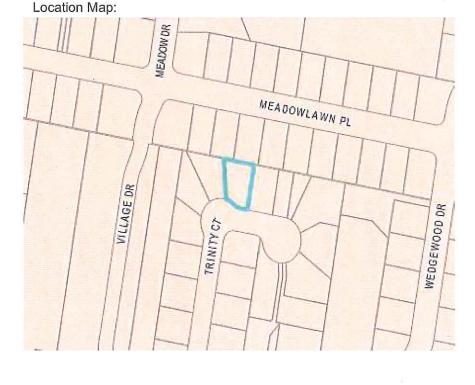
Garb/Recyc

Molalla Sanitary

City/County

City

Molalla



Site Characteristics:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

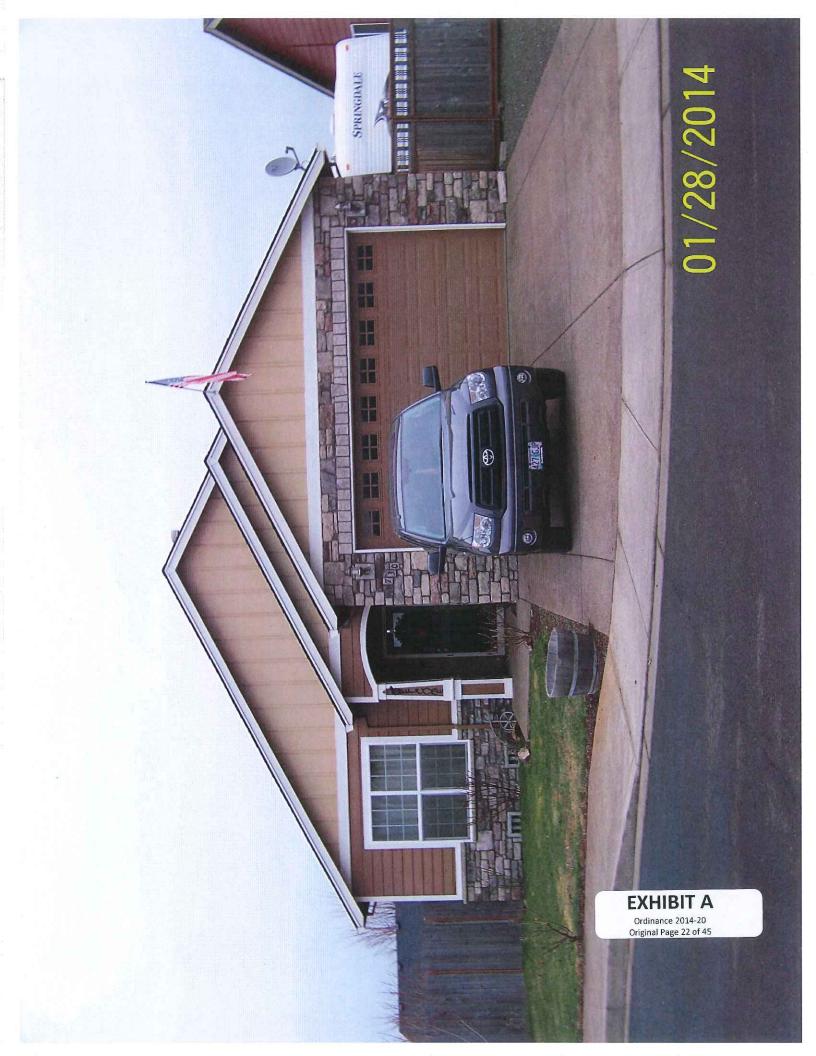
Acreage:

R3

0.15

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# **Property Report**

SMITH LESLIE A 736 TRINITY CT MOLALLA, OR 97038

Site Address:

736 TRINITY CT

Taxlot Number:

52E08BA00211

Land Value:

69834

Building Value:

140770

Total Value:

210604

Acreage:

Year Built:

2007

Sale Date:

10/12/2007

Sale Amount:

326000

Sale Type:

S

Land Class:

101

**Building Class:** 

14

Neighborhood:

City of Molalla newer

Taxcode Districts: 035013

Site Characteristics:

Location Map:

MEADOW DR

UGB:

**MOLALLA** 

Flood Zone:

Not Available

TRINITY CT

Zoning Designation(s):

Zone

MEADOWLAWN PL

Overlays:

Acreage:

R3

0.15

WEDGEWOOD DR

Fire

Molalla RFPD #73

Park

School

**SCH 35 MOLALLA RIVER** 

Sewer

N/A

Water

N/A

Cable

City

CPO

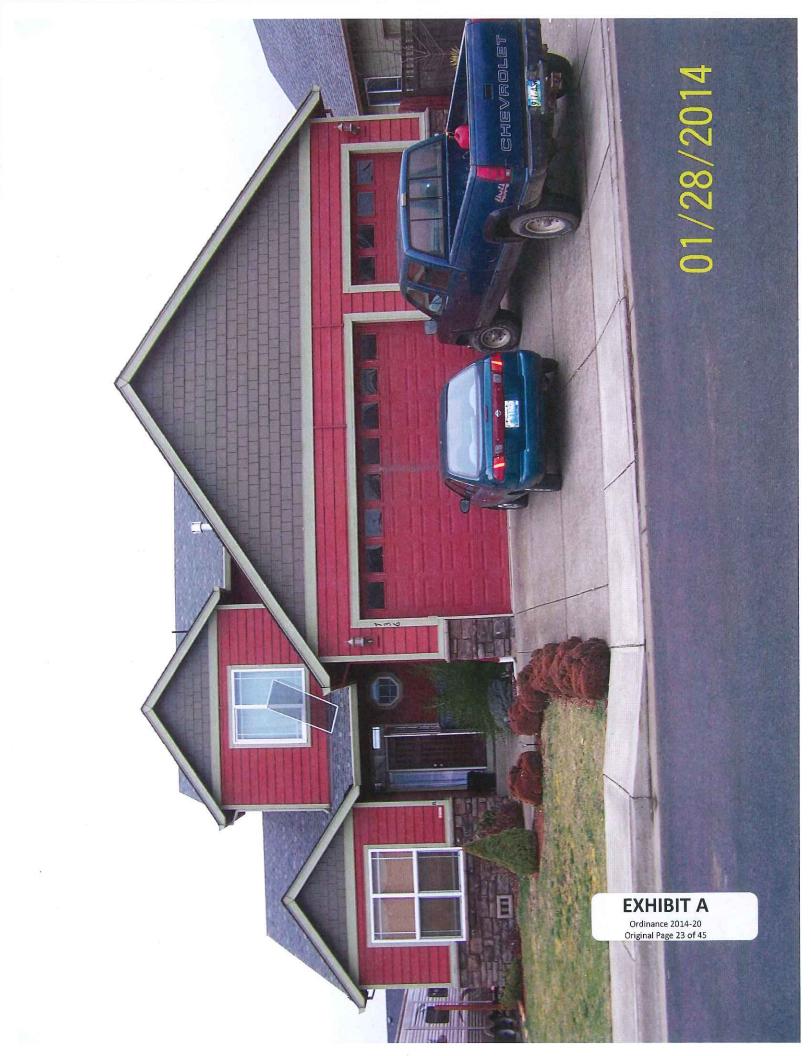
City

Garb/Recyc City/County

Molalla Sanitary

**EXHIBIT A** 

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# **Property Report**

RENARD JOSEPH F 742 TRINITY CT MOLALLA, OR 97038

Site Address:

742 TRINITY CT

Taxlot Number:

52E08BA00212

Land Value:

46699

**Building Value:** 

116620

Total Value:

163319

Acreage:

Year Built:

2008

Sale Date:

09/23/2009

Sale Amount:

259000

Sale Type:

M

Land Class:

101

**Building Class:** 

14

Neighborhood:

City of Molalla newer

Taxcode Districts: 035013

Fire

Molalla RFPD #73

Park

School

**SCH 35 MOLALLA RIVER** 

Sewer

N/A N/A

Water Cable

City

CPO

City

Garb/Recyc City/County Molalla Sanitary Molalla

Location Map:



Site Characteristics:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

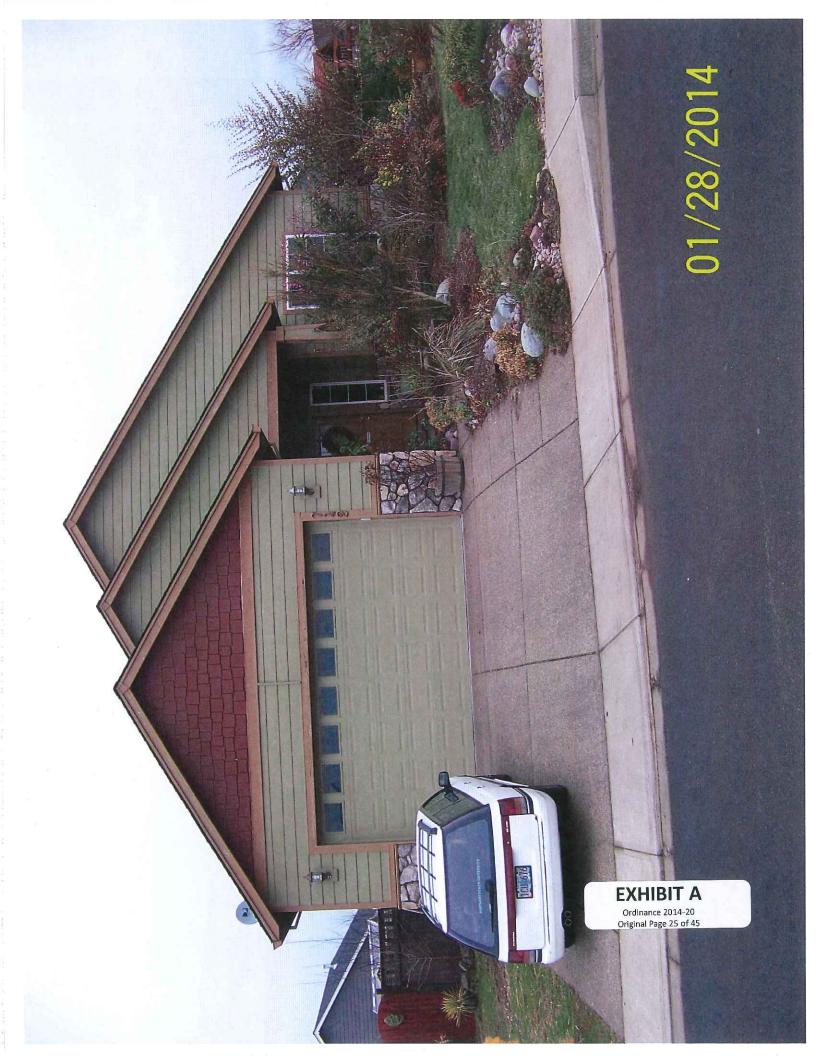
Acreage:

R3

0.09

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### **Property Report**

#### BEHRENDS MARILYN S 737 TRINITY CT MOLALLA, OR 97038

Site Address:

737 TRINITY CT

Taxlot Number:

52E08BA00217

Land Value:

73477

Building Value:

121050

Total Value:

194527

Acreage:

Year Built:

2007

Sale Date:

04/23/2008

Sale Amount:

275000

Sale Type:

Land Class:

101

**Building Class:** 

14

Neighborhood:

City of Molalla newer

Taxcode Districts: 035013

Fire

Molalia RFPD #73

Park School

**SCH 35 MOLALLA RIVER** 

N/A Sewer

Water

N/A

Cable CPO

City

Garb/Recyc City/County City

Molalla Sanitary

Molalla

Location Map:



Site Characteristics:

UGB:

Flood Zone:

**MOLALLA** 

Not Available

Zoning Designation(s):

Zone

Overlays:

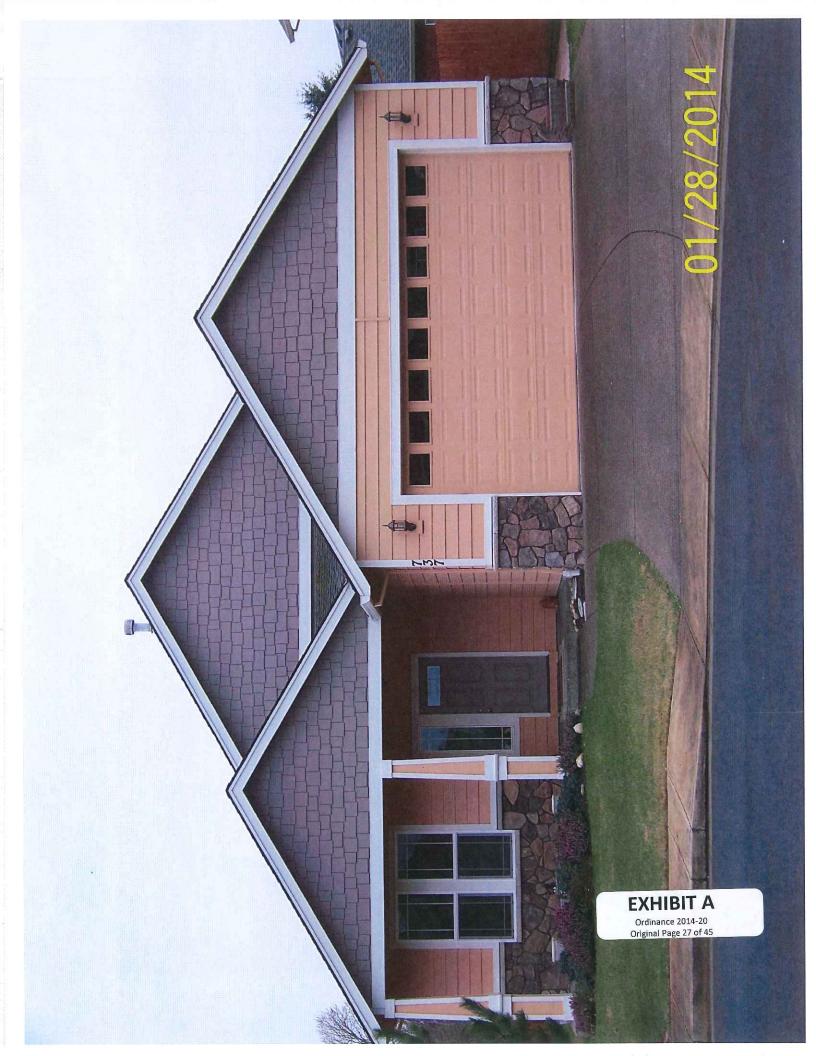
Acreage:

R3

0.19

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# **Property Report**

#### **BRITTINGHAM THOMAS J & NICOLE R** 741 TRINITY CT MOLALLA, OR 97038

Site Address:

741 TRINITY CT

Taxlot Number:

52E08BA00216

Land Value:

75298

**Building Value:** 

160330

Total Value:

235628

Acreage:

0.22

Year Built:

2011

Sale Date:

05/31/2011

Sale Amount:

233000

Sale Type:

S

Land Class:

101

**Building Class:** 

15

Neighborhood:

City of Molalla newer

Taxcode Districts: 035013

Fire

Molalla RFPD #73

Park

**SCH 35 MOLALLA RIVER** 

School Sewer Water

N/A N/A

Cable CPO

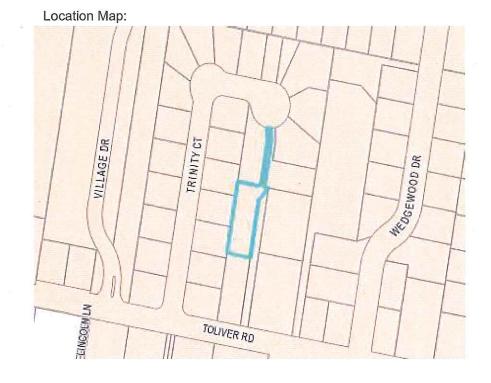
City

Garb/Recyc

City

**Molalla Sanitary** Molalla

City/County



Site Characteristics:

UGB:

Flood Zone:

**MOLALLA** Not Available

Zoning Designation(s):

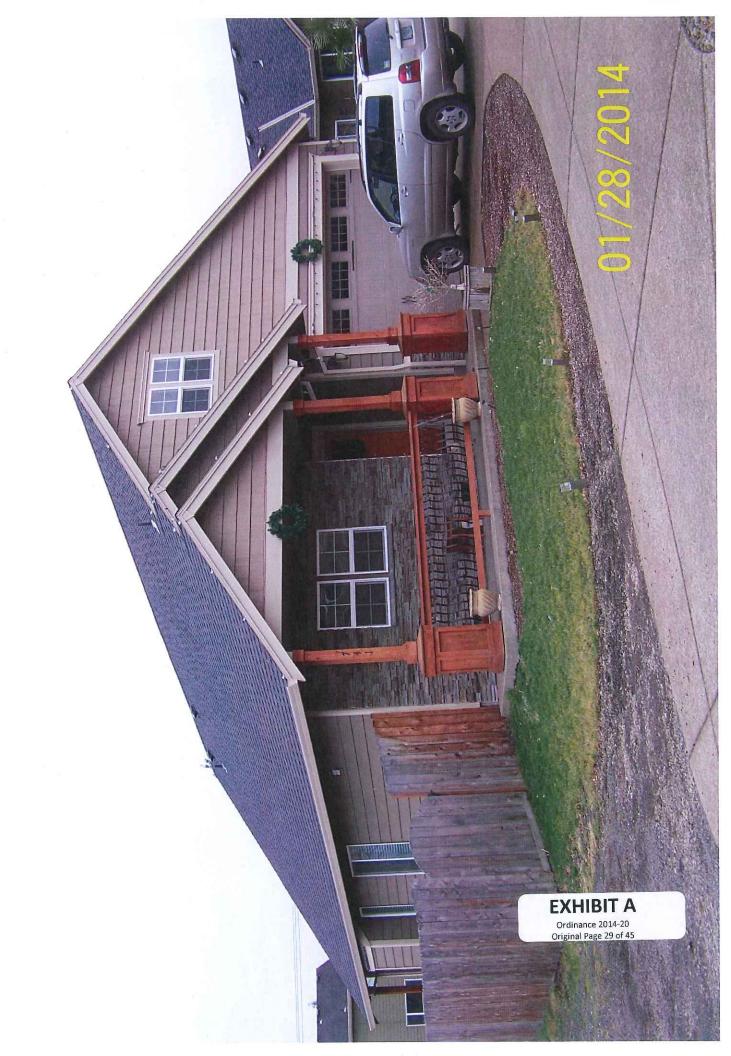
Zone

Overlays: Acreage:

R3 R3 0.22 0.03

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### **Property Report**

ALYEA HAROLD E & MARY L **805 TOLIVER RD** MOLALLA, OR 97038

Site Address:

**800 TRINITY CT** 

Taxlot Number:

52E08BA00225

Land Value:

73477

**Building Value:** 

145690

Total Value:

219167

Acreage:

Year Built:

2006

Sale Date:

02/21/2008

Sale Amount:

292000

Sale Type:

Land Class:

101

**Building Class:** 

14

Neighborhood:

City of Molalla newer

Taxcode Districts: 035013

Fire

Molalla RFPD #73

Park

School Sewer

**SCH 35 MOLALLA RIVER** 

Water

N/A N/A

Cable

City

CPO

Garb/Recyc

City Molalla Sanitary

Molalla

City/County

Location Map:



Site Characteristics:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

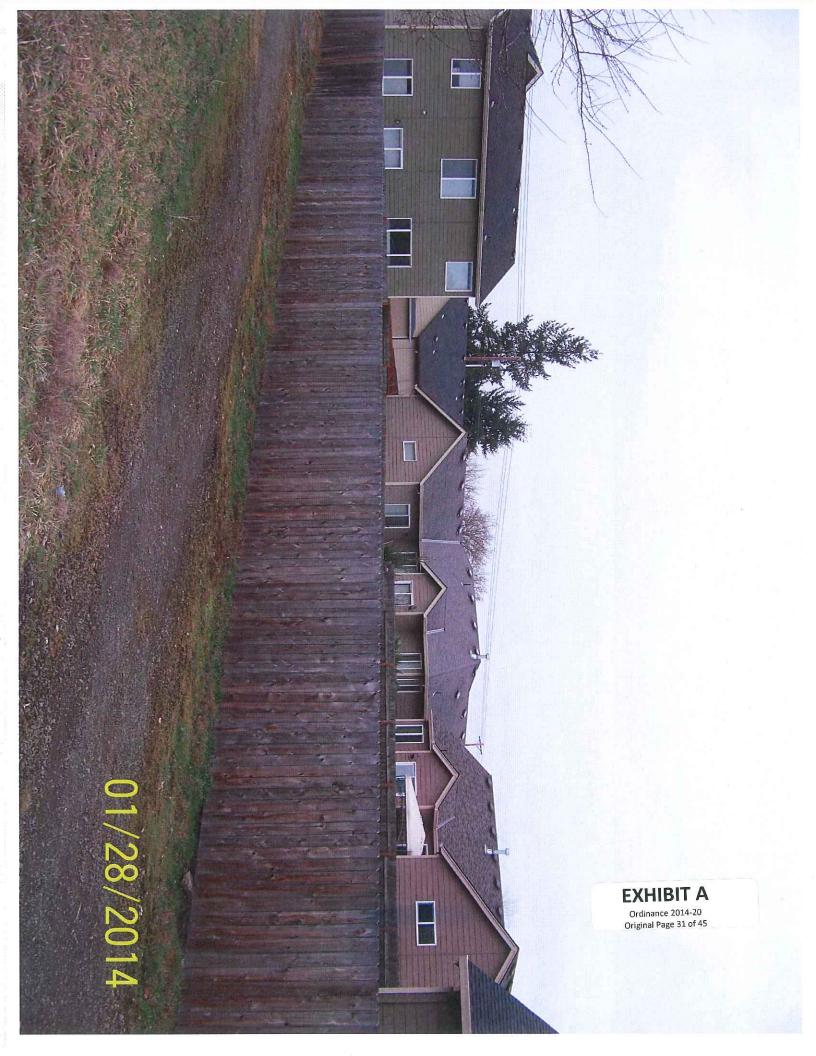
Acreage:

R3

0.21

**EXHIBIT A** 

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### **Property Report**

**ABLES JERRY D** 19302 ROLLINS ST **OREGON CITY, OR 97045** 

Site Address:

709 TRINITY CT

Taxlot Number:

52E08BA00218

Land Value:

69834

Building Value:

109950

Total Value:

179784

Acreage:

Year Built:

2010

Sale Date:

06/04/2010

Sale Amount:

219000

Sale Type:

S

Land Class:

101

**Building Class:** 

14

Neighborhood:

City of Molalla newer

Taxcode Districts: 035013

Fire

Molalla RFPD #73

Park

School

**SCH 35 MOLALLA RIVER** 

Sewer Water

N/A

Cable

N/A

CPO

City

City

Garb/Recyc City/County Molalla Sanitary Molalla

Location Map:



Site Characteristics:

UGB:

Flood Zone:

**MOLALLA** 

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

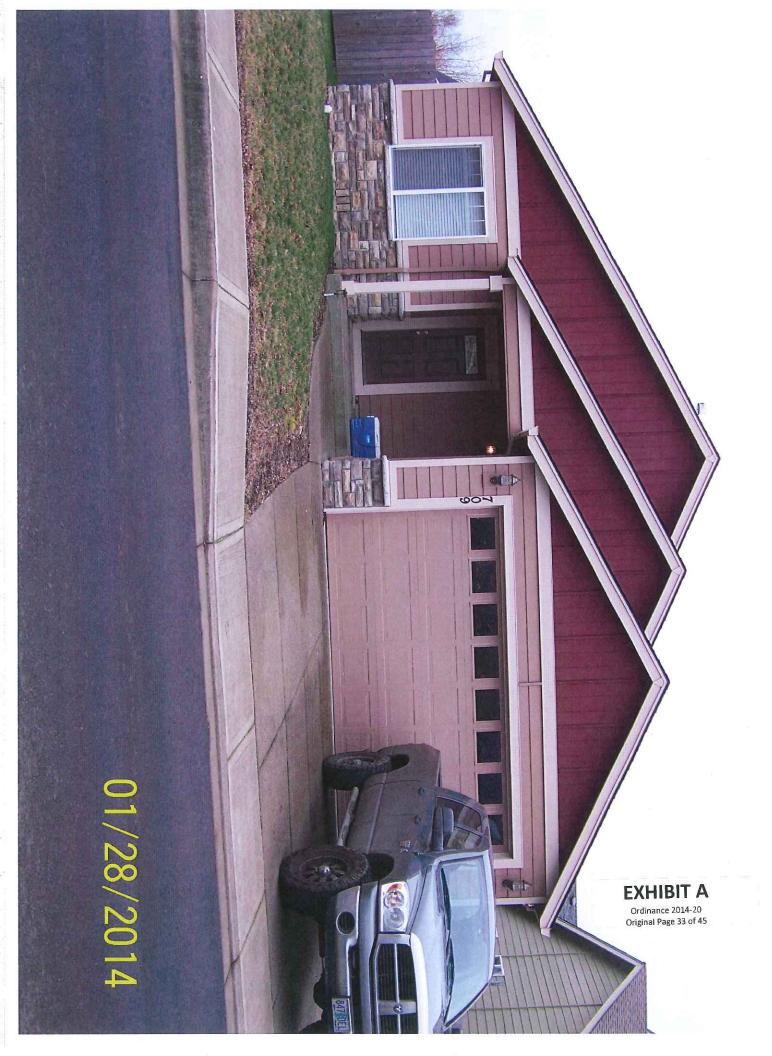
R3

0.15

**FXHIBIT A** 

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.

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# **Property Report**

**BLACKMAN CAROL J 703 TRINITY CT** MOLALLA, OR 97038

Site Address:

**703 TRINITY CT** 

Taxlot Number:

52E08BA00219

Land Value:

69834

Building Value:

136110

Total Value:

205944

Acreage:

Year Built:

2006

Sale Date:

10/23/2012

Sale Amount:

S

Land Class:

Sale Type:

101

**Building Class:** 

14

Neighborhood:

City of Molalla newer

Taxcode Districts: 035013

Fire

Molalla RFPD #73

Park

N/A

SCH 35 MOLALLA RIVER

School Sewer Water

N/A N/A

Cable

City

CPO

City

Garb/Recyc

City/County

**Molalla Sanitary** Molalla



Site Characteristics:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

R3

0.14

**EXHIBIT A** 

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# **Property Report**

**ANDERSON DANIEL & AMY 697 TRINITY CT** MOLALLA, OR 97038

Site Address:

**697 TRINITY CT** 

Taxlot Number:

52E08BA00220

Land Value:

69834

**Building Value:** 

110830

Total Value:

180664

Acreage:

Year Built:

2006

Sale Date:

06/26/2007

Sale Amount:

265000

Sale Type:

Land Class:

101

**Building Class:** 

14

Neighborhood:

City of Molalla newer

Taxcode Districts: 035013

Fire

Molalla RFPD #73

Park

N/A

School

**SCH 35 MOLALLA RIVER** 

Sewer Water

N/A N/A

Cable CPO

City City

Garb/Recyc

Molalla Sanitary

City/County

Molalla

Location Map:



Site Characteristics:

UGB:

Flood Zone:

**MOLALLA** 

Not Available

Zoning Designation(s):

Zone

Overlays:

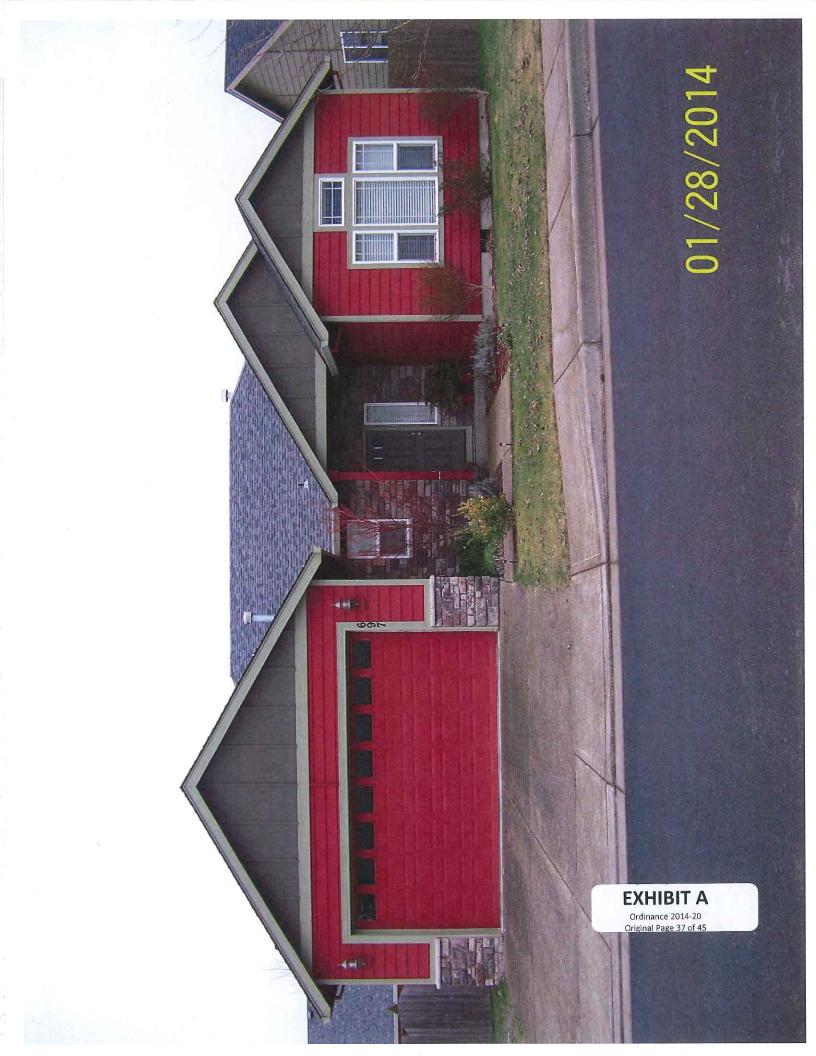
Acreage:

R3

0.14

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# **Property Report**

**BAKER JOHN E & BARBARA S 687 TRINITY CT** MOLALLA, OR 97038

Site Address:

**687 TRINITY CT** 

Taxlot Number:

52E08BA00221

Land Value:

69834

Building Value:

110830

Total Value:

180664

Acreage:

Year Built:

2006

Sale Date:

08/08/2007

Sale Amount:

265000

Sale Type:

S

Land Class:

101

**Building Class:** 

14

Neighborhood:

City of Molalla newer

Taxcode Districts: 035013

Fire

Molalla RFPD #73

Park

N/A

School **SCH 35 MOLALLA RIVER** 

Sewer Water

N/A N/A

Cable

City

CPO

City

Garb/Recyc

Molalla Sanitary

City/County Molalla Location Map:



Site Characteristics:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

R3

0.14

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# **Property Report**

**DUFFY PATRICK M & SUSAN L 677 TRINITY CT** MOLALLA, OR 97038

Site Address:

**677 TRINITY CT** 

Taxlot Number:

52E08BA00222

Land Value:

69834

Building Value:

113670

Total Value:

183504

Acreage:

Year Built:

2008

Sale Date:

04/29/2008

Sale Amount:

278671

Sale Type:

S

Land Class:

101

**Building Class:** 

14

Neighborhood:

City of Molalla newer

Taxcode Districts: 035013

Fire

Molalla RFPD #73

Park

N/A

School

**SCH 35 MOLALLA RIVER** 

Sewer Water

N/A

Cable

N/A

City

CPO

City

Garb/Recyc City/County Molalla Sanitary Molalla

Location Map:



Site Characteristics:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

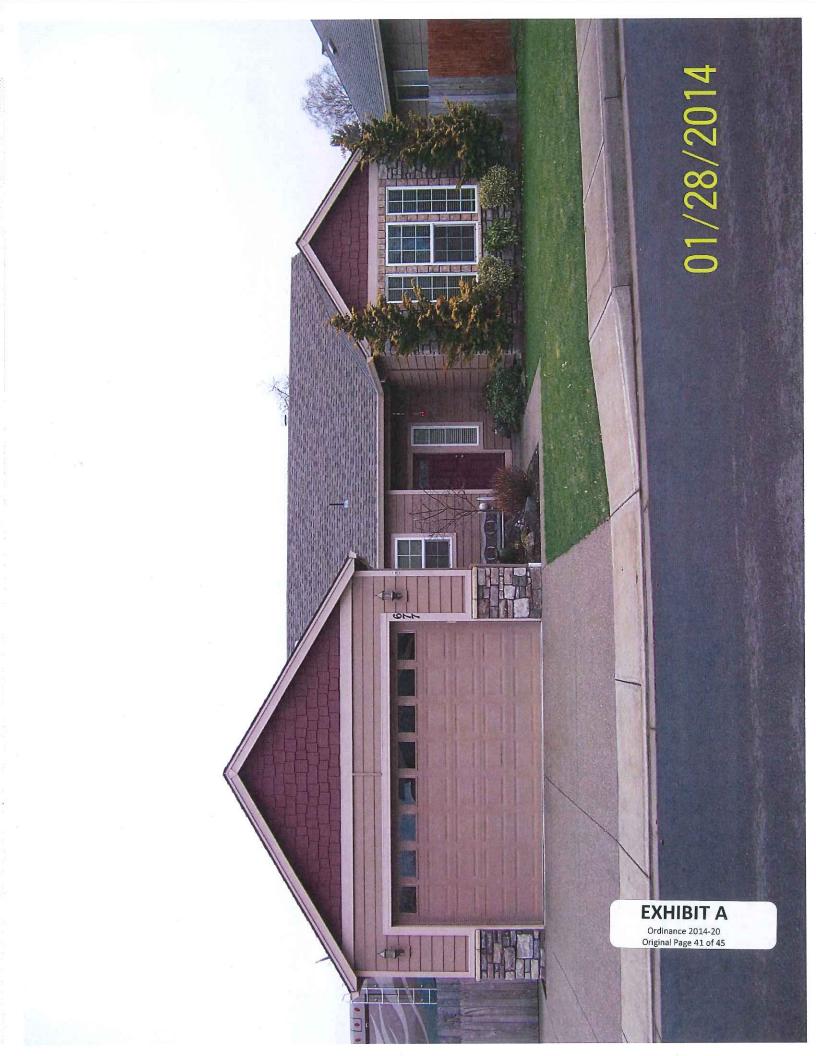
Acreage:

R3

0.14

**EXHIBIT** A

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## Property Report

#### PATTISON RICHARD C & CILIA A **657 TRINITY CT** MOLALLA, OR 97038

Site Address:

**657 TRINITY CT** 

Taxlot Number:

52E08BA00223

Land Value:

69834

**Building Value:** 

113320

Total Value:

183154

Acreage:

Year Built:

2007

Sale Date:

03/19/2008

Sale Amount:

265000

Sale Type:

S

Land Class:

101

**Building Class:** 

14

Neighborhood:

City of Molalla newer

Taxcode Districts: 035013

Fire

Molalla RFPD #73

Park School

**SCH 35 MOLALLA RIVER** N/A

Sewer Water

N/A City

Cable CPO

Garb/Recyc

City

Molalla Sanitary

City/County Molalla Location Map:



Site Characteristics:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

R3

0.14

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## **Property Report**

**GOMEZ MARTIMIANO & IRENE CAMACHO** 899 E MAIN ST #9 MOLALLA, OR 97038

Site Address:

**647 TRINITY CT** 

Taxlot Number:

52E08BA00224

Land Value:

69834

**Building Value:** 

107820

Total Value:

177654

Acreage:

Year Built:

2009

Sale Date:

12/21/2009

Sale Amount:

208000

Sale Type:

S

Land Class:

101

**Building Class:** 

14

Neighborhood:

City of Molalla newer

Taxcode Districts: 035013

Fire

Molalla RFPD #73

Park

**SCH 35 MOLALLA RIVER** School N/A

Sewer Water

N/A

Cable CPO

City City

Garb/Recyc

Molalla Sanitary City/County

Location Map:



Site Characteristics:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

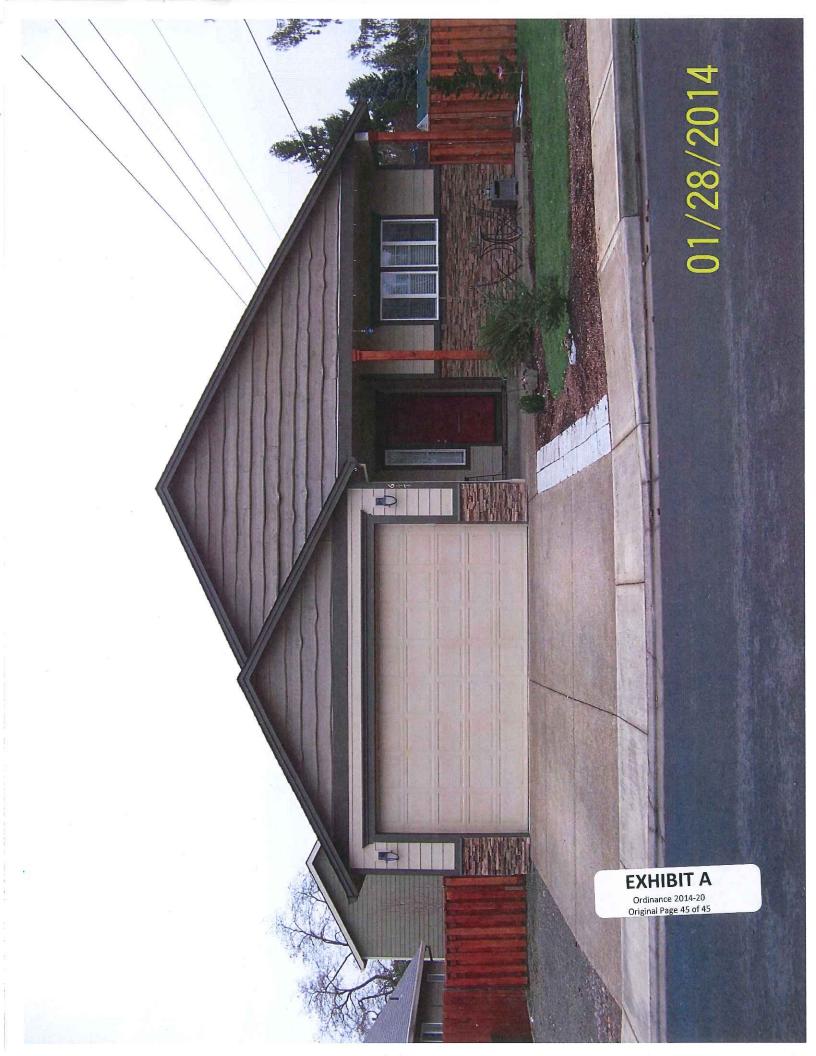
Acreage:

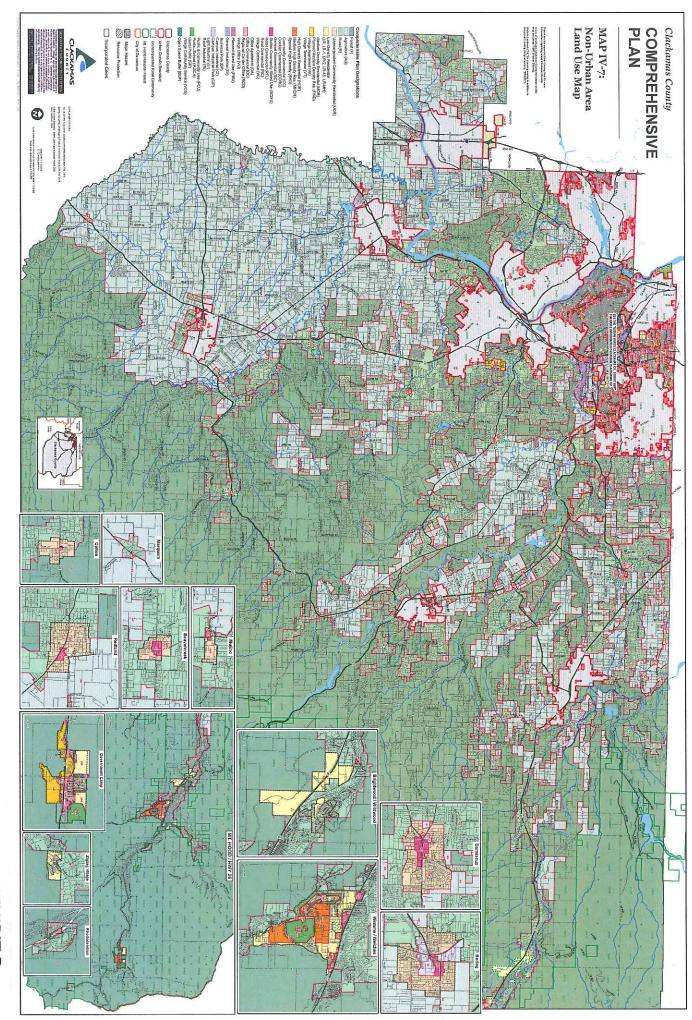
R3

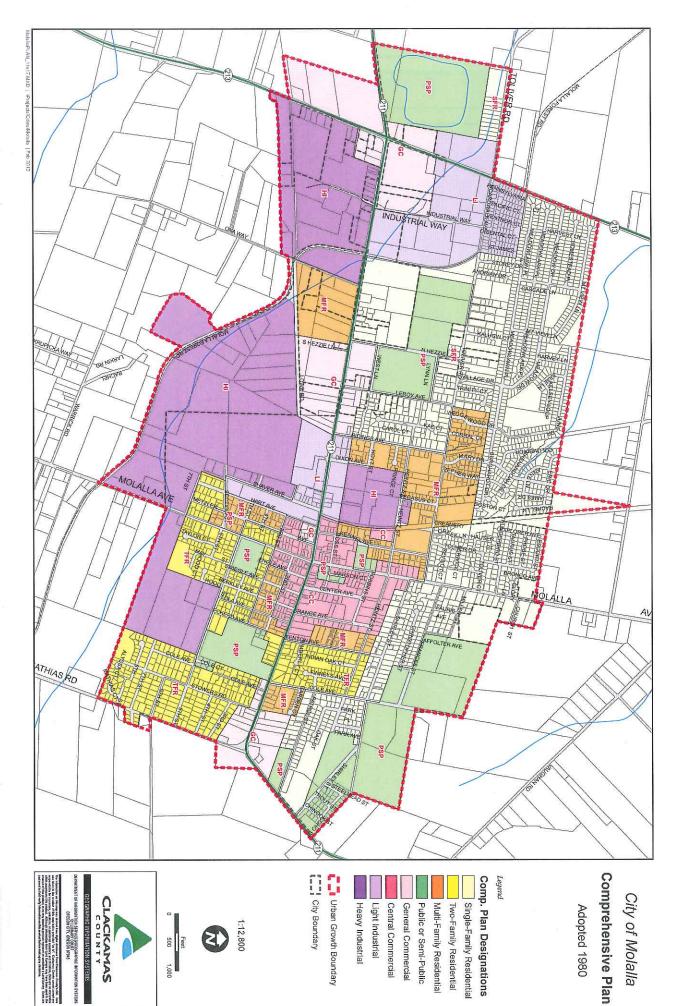
0.15

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#### CITY OF MOLALLA

### **ORDINANCE No. 2014 - 21**

# AN ORDINANCE ANNEXING ISLAND TERRITORY INTO THE CITY OF MOLALLA, WITHDRAWING THE TERRITORY FROM SPECIAL DISTRICTS, AMENDING THE COMPREHESIVE PLAN AND REZONING PROPERTY.

**WHEREAS**, pursuant to ORS 222.750, the City of Molalla ("City") initiated annexation of territory surrounded by the corporate boundaries of the City (Case File No. P-6-2014);

**WHEREAS**, the City notified affected property owners and others entitled to notice under the City's code and notified the state of its intent to annex such territory;

**WHEREAS**, on June 4, 2014, the Molalla Planning Commission held a duly noticed public hearing to consider the annexation of several islands surrounded by the City's corporate boundaries;

WHEREAS, the planning commission recommended the Molalla City Council annex the islands in accordance with the City's code and state law; and

**WHEREAS**, the city council held a public hearing on July 9, 2014 and decided to annex the islands, withdraw the islands from certain districts, amend the properties' comprehensive plan designations and change the zoning on the properties from county to city zoning.

**NOW, THEREFORE,** the City of Molalla ordains:

**Section 1.** The real property that is the subject of this ordinance is located in a tract of land being all of that tract of land described as Parcel 2 of that deed recorded as Document No. 2011-048874, Clackamas County Deed Records, and being a portion of State Highway No. 211, and being a portion of S. Ona Way, and being a portion of Molalla Forest Road, all located in the Southeast one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon:

Tax Lot No. 52E07D 00102

This property is annexed into the City of Molalla. A meets and bounds legal description, surveyor's map, current Clackamas County Property Report and a time stamped photo of the property are attached and incorporated as Exhibit A.

**Section 2.** The existing Clackamas County comprehensive plan designation, RI (Rural Industrial), is changed to a City plan designation of HI (Heavy Industrial). This change is supported by findings, attached and incorporated as Exhibit B.

**Section 3.** The existing Clackamas County zoning for the affected property, RRFF5 (Rural, Residential, Farm/Forest, 5-acre Minimum Lot Size) is changed to M-2 (Heavy Industrial). The property is currently vacant and undeveloped.

**Section 4.** The territory is withdrawn from the following service/special districts: None noted.

**Section 5.** Lawfully established land uses occurring on or within the annexed territory may continue and will be treated as nonconforming uses after the effective date of annexation to the City.

Section 6. The Molalla City Recorder shall:

- 1. Mail a copy of this ordinance and attachments to the Oregon Department of Revenue;
- 2. Mail a copy of this ordinance to Clackamas County and all affected service districts;
- 3. Mail a copy of this ordinance to the Oregon Department of Land Conservation and Development, together with the appropriate forms required by the department; and
- 4. If the property owner of the annexed territory appeared before the planning commission or city council, mail a notice to the property owner summarizing this ordinance and describing the owner's right to appeal this decision.

Adopted this 9th day of July by the City Cou	incil of the City of Molalla on a vote of ayes and
nays.	
	Mayor Deborah Rogge
Attest this 9th day of July 2014	
City Recorder Sadie Cramer	

### **ZTec Engineers, Inc.**

John McL. Middleton, P.E.

Civil ◆ Structural ◆ Surveying

Chris C. Fischborn, P.L.S.

3737 SE 8<sup>th</sup> Ave.

Portland, OR 97202

503-235-8795

Ronald b. Sellards, P.E.

FAX: 503-233-7889

Email: chris@ztecengineers.com

Tax Lot 102 on Tax Map 5S2E07D Annexation to the City of Molalla

A Tract of land being all of that tract of land described as Parcel 2 of that deed recorded as Document No. 2011-048874, Clackamas County Deed Records, and being a portion of State Highway No. 211, and being a portion of S. Ona Way, and being a portion of Molalla Forest Road, all located in the Southeast one-quarter of Section 7, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon. Said Tract of land being more particularly described as follows:

Commencing at a 3 1/4 inch bronze disc in a monument box found at the Northeast corner of the B. B. Jackson Donation Land Claim No. 41; thence South 80°59'27" East, along the centerline of said State Highway No. 211, a distance of 17.87 feet to a point on the Northerly extension of the Easterly right of way line of said S. Ona Way; thence North 20°40'30" East, along said Northerly extension, a distance of 30.63 feet to a point on the Northerly right of way line of said Highway 211 and the true point of beginning of the Tract of land herein described; thence South 20°40'30" West, along said Northerly extension of said Easterly right of way line, and along said Easterly right of way line, a distance of 1294.90 feet to a point; thence North 69°19'30" West, at right angles to said S. Ona Way, a distance of 17.50 feet to a point at the intersection of the centerline of said S. One Way with the Southwesterly right of way line of said Molalla forest Road; thence along said Southwesterly right of way line, along a 507.47 foot radius curve to the right, through a central angle of 71°50′27", an arc distance of 636.30 feet (the long chord of said curve bears North 26°45'10" West a distance of 595.43 feet) to a point of tangency on the Westerly right of way line of said Molalla Forest Road; thence North 09°10'03" East, along said Westerly right of way line, a distance of 721.46 feet to a point on the Southerly right of way line of said Highway 211, thence North 09°00'33" East, at right angles to said Highway 211, a distance of 60.00 feet to a point on the Northerly right of way line of said Highway 211; thence South 80°59'27" East, along said Northerly right of way line, a distance of 624.96 feet to the true point of beginning of the Tract of land herein described.

Said Tract of land contains an area of 13.3606 acres (581,986 square feet) more or less.

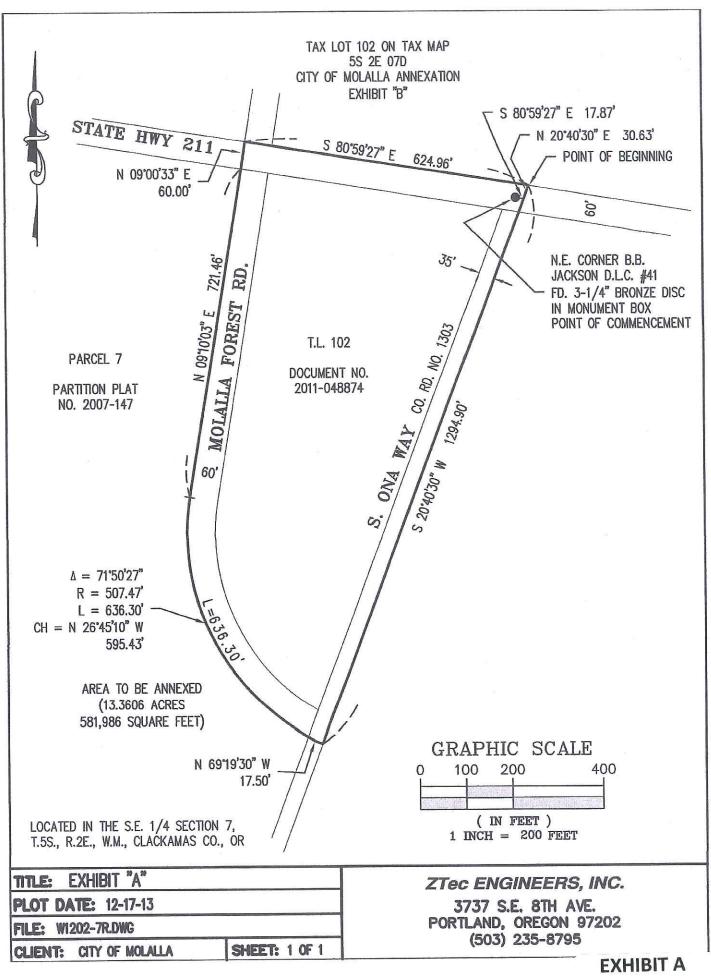
The bearings and distances in this description are based on Clackamas County Partition Plat No. 2007-147

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 17, 1991
CHRIS FISCHBORN

**EXHIBIT A** 

Ordinance 2014-21 Original Page 1 of 4





## **Property Report**

**BENTLEY BROOKS ANN TRUSTEE** PO BOX 1257 MOLALLA, OR 97038

Site Address:

NO SITUS

Taxlot Number:

52E07D 00102

Land Value:

107819

Building Value:

0

Total Value:

107819

Acreage:

Year Built:

Sale Date:

08/18/2011

Sale Amount:

0

Sale Type:

M

Land Class:

400

**Building Class:** 

Neighborhood:

Molalla rural north all

Taxcode Districts: 035013

Molalla RFPD #73

SCH 35 MOLALLA RIVER

Fire Park School

N/A

Sewer

N/A

Water

N/A

Cable

Wave Broadband (Molalla)

CPO Garb/Recyc

Molalla

City/County

Molalla Sanitary Clackamas Co.

Location Map:



Site Characteristics:

UGB:

Flood Zone:

MOLALLA

Not Available

Zoning Designation(s):

Zone

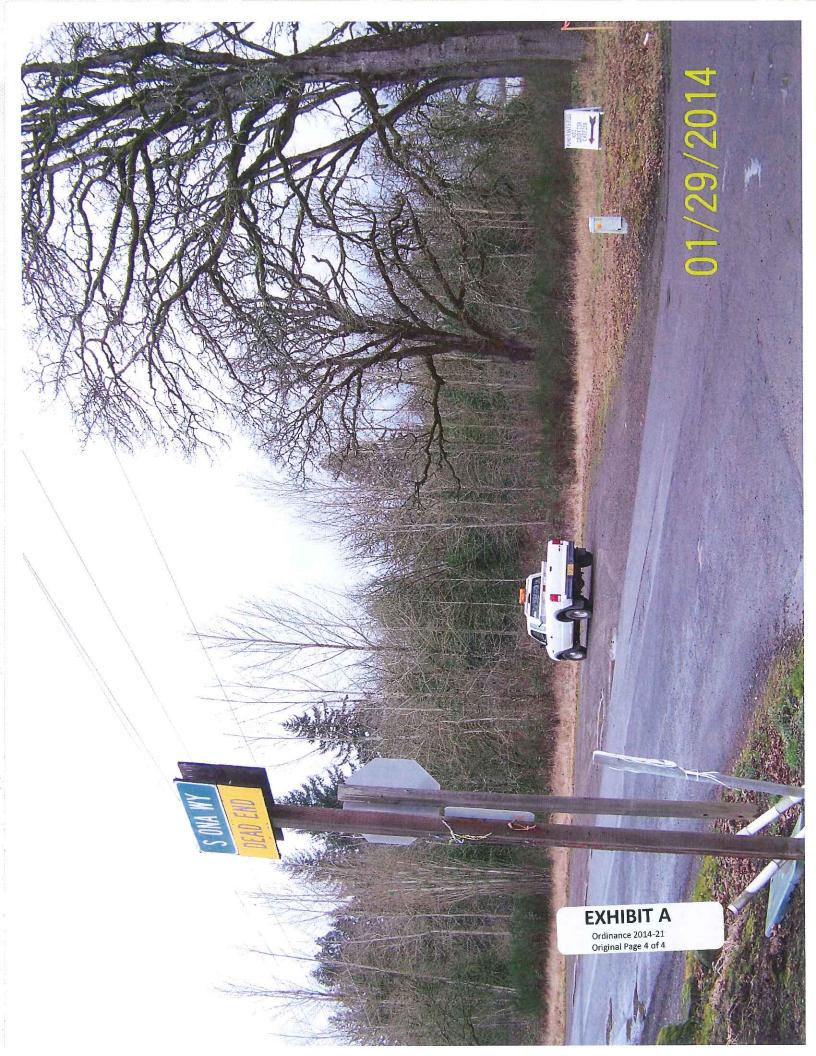
Overlays: Acreage:

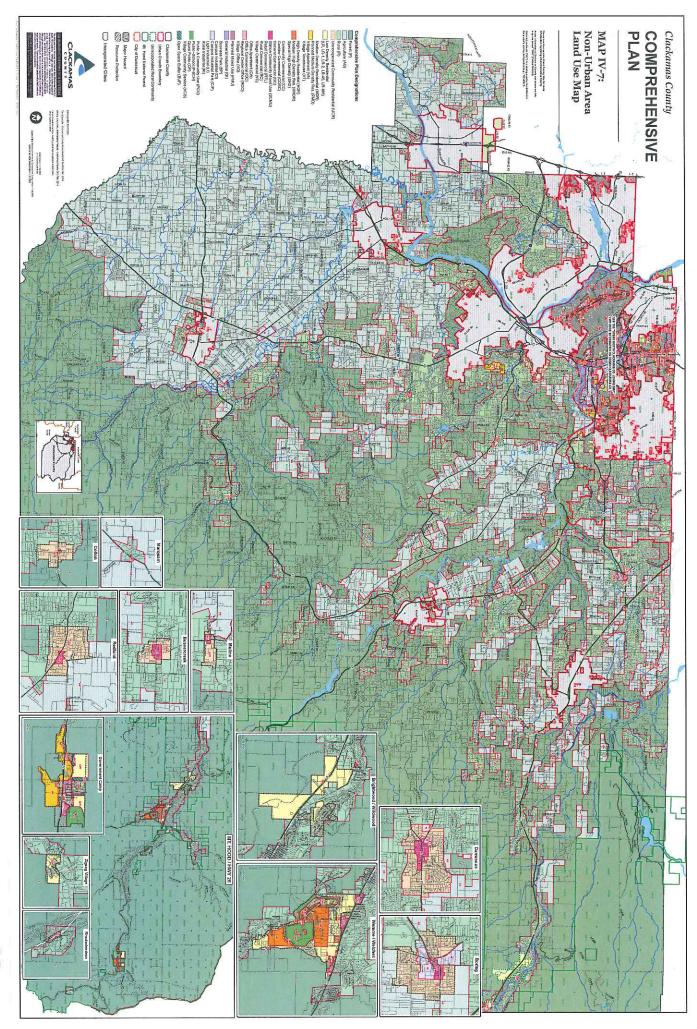
RRFF5

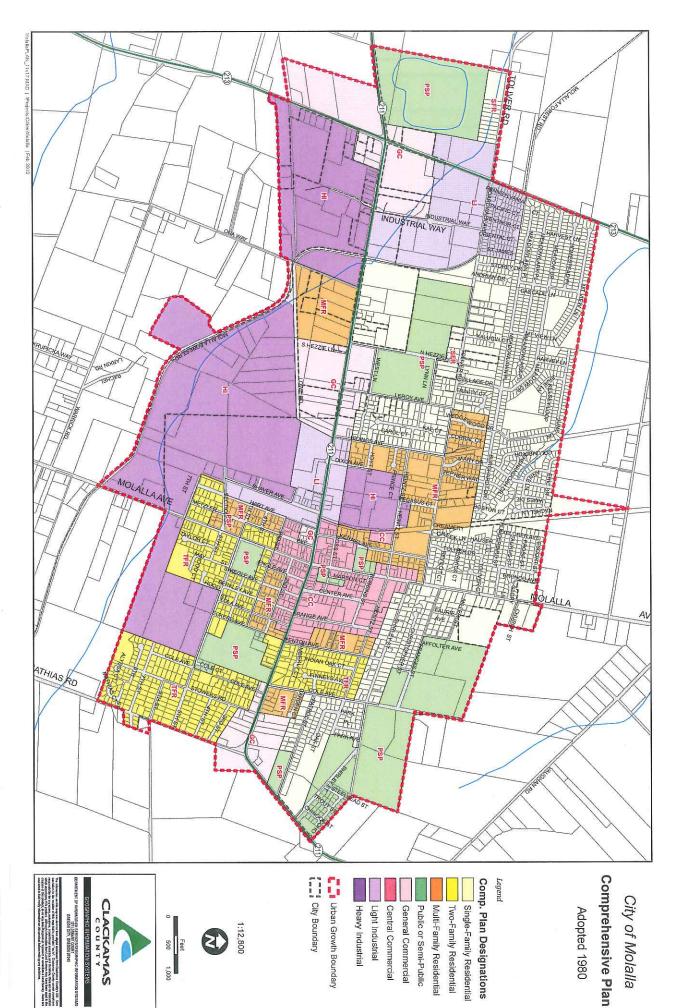
9.77

**EXHIBIT A** 

Ordinance 2014-21 Original Page 3 of 4









#### CITY OF MOLALLA

### **ORDINANCE No. 2014 - 22**

# AN ORDINANCE ANNEXING ISLAND TERRITORY INTO THE CITY OF MOLALLA, WITHDRAWING THE TERRITORY FROM SPECIAL DISTRICTS, AMENDING THE COMPREHESIVE PLAN AND REZONING PROPERTY.

**WHEREAS**, pursuant to ORS 222.750, the City of Molalla ("City") initiated annexation of territory surrounded by the corporate boundaries of the City (Case File No. P-6-2014);

**WHEREAS**, the City notified affected property owners and others entitled to notice under the City's code and notified the state of its intent to annex such territory;

**WHEREAS**, on June 4, 2014, the Molalla Planning Commission held a duly noticed public hearing to consider the annexation of several islands surrounded by the City's corporate boundaries;

**WHEREAS**, the planning commission recommended the Molalla City Council annex the islands in accordance with the City's code and state law; and

**WHEREAS**, the city council held a public hearing on July 9, 2014 and decided to annex the islands, withdraw the islands from certain districts, amend the properties' comprehensive plan designations and change the zoning on the properties from county to city zoning.

NOW, THEREFORE, the City of Molalla ordains:

**Section 1.** The real properties that are the subject of this ordinance are located in a tract of land being a portion of the "B.B. Jackson Donation Land Claim No. 41", located in the Southeast one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon:

Tax Lot No. 52E07D 00600

Tax Lot No. 52E07D 00701

Tax Lot No. 52E07D 00500

Tax Lot No. 52E07D 00400

Tax Lot No. 52E07D 00200

Tax Lot No. 52E07D 00300

These properties are annexed into the City of Molalla. A meets and bounds legal description, surveyor's map, current Clackamas County Property Report and a time stamped photo of the property are attached and incorporated as Exhibit A.

**Section 2.** The existing Clackamas County comprehensive plan designation, RI (Rural Industrial), is changed to a City plan designation of HI (Heavy Industrial). This change is supported by findings, attached and incorporated as Exhibit B.

**Section 3.** The existing Clackamas County zoning for the affected property, RRFF5 (Rural, Residential, Farm/Forest, 5-acre Minimum Lot Size) is changed to M-2 (Heavy Industrial), except Tax Lot No. 52E07D 00600 and Tax Lot No. 52E07S 00701 is changed to PSP (Public or semi-Public). The properties are currently:

Tax Lot No. 52E07D 00600 Undeveloped
Tax Lot No. 52E07D 00701 Undeveloped
Tax Lot No. 52E07D 00500 Undeveloped
Tax Lot No. 52E07D 00400 Undeveloped
Tax Lot No. 52E07D 00200 Residential - In Use
Tax Lot No. 52E07D 00300 Undeveloped

**Section 4.** The territory is withdrawn from the following service/special districts: None noted.

**Section 5.** Lawfully established land uses occurring on or within the annexed territory may continue and will be treated as nonconforming uses after the effective date of annexation to the City.

Section 6. The Molalla City Recorder shall:

- 1. Mail a copy of this ordinance and attachments to the Oregon Department of Revenue;
- 2. Mail a copy of this ordinance to Clackamas County and all affected service districts;
- 3. Mail a copy of this ordinance to the Oregon Department of Land Conservation and Development, together with the appropriate forms required by the department; and
- 4. If the property owner of the annexed territory appeared before the planning commission or city council, mail a notice to the property owner summarizing this ordinance and describing the owner's right to appeal this decision.

Adopted this 9th day of July by the City Cou nays.	ncil of the City of Molalla on a vote of ayes and
	Mayor Deborah Rogge
Attest this 9th day of July 2014	
City Recorder Sadie Cramer	

### **ZTec Engineers, Inc.**

John McL. Middleton, P.E.

Civil ◆ Structural ◆ Surveying Chris C. Fischborn, P.L.S. 3737 SE 8<sup>th</sup> Ave. Portland, OR 97202

503-235-8795 FAX: 503-233-7889

Email: chris@ztecengineers.com

Ronald b. Sellards, P.E.

12930, 12940, 12966 & 12968 State Highway 211, & Tax Lots 600 & 701 on Map 5S2E07D Annexation to the City of Molalla

A Tract of land being a portion of the "B.B. Jackson Donation Land Claim No. 41", located in the Southeast one-quarter of Section 7, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon. Said Tract of land being more particularly described as follows:

Beginning at the Northeasterly corner of Parcel 4 of Partition Plat No. 2007-129; thence North 80°59′27″ West, along the Northerly line of said Parcel 4 and its Westerly extension, a distance of 320.85 feet to a point on the Easterly right of way line of Commercial Parkway; thence North 20°02′ 05″ East, along said Easterly right of way line, a distance of 209.11 feet to a point on the Southerly right of way line of State Highway 211; thence North 09°00″33″ East, at angles to said State Highway 211, a distance of 60.00 feet to a point on the Northeasterly right of way line of said State Highway 211; thence South 80°59′27″ East, along said Northerly right of way line, a distance of 772.32 feet to a point; thence South 09°00′33″ West, at right angles to said State Highway 211, a distance of 60.00 feet to a point on said South right of way line of said State Highway 211, said point also being on the Northerly extension of a boundary line of Parcel 7 of Partition Plat No. 2007-147, thence South 20°25′50″ West, along said Northerly extension of said Parcel 7 boundary line and along said Parcel 7 boundary line, a distance of 309.40 feet to an angle point in said Parcel 7 boundary line; thence continuing along said Parcel 7 boundary line, North 80°59′27″ West a distance of 450.00 feet to an angle point in the Easterly boundary line of said Parcel 4 of said Partition Plat No. 2007-129; thence North 20°25′50″ East, along said Easterly boundary line, a distance of 100.00 feet to the true point of beginning of the Tract of land herein described.

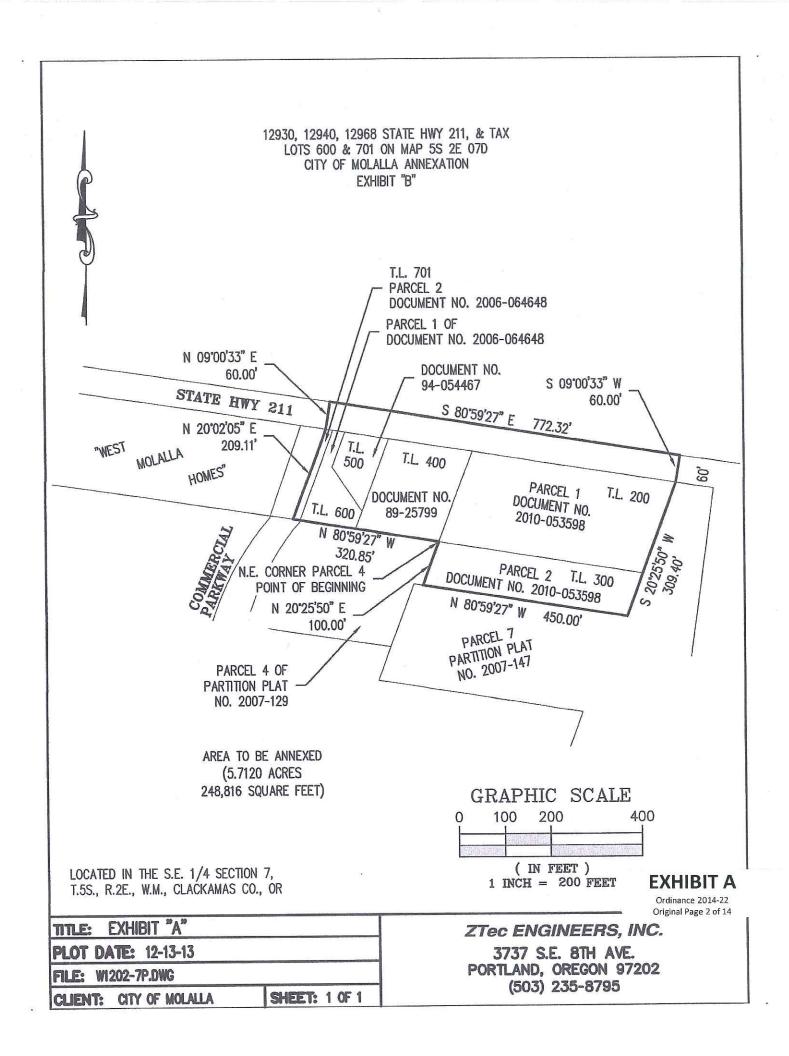
Said Tract of land contains an area of 5.7120 acres (248,816 square feet) more or less.

The bearings and distances in this description are based on Clackamas County Partition Plats 1994-160 and 2007-129.

PROFESSIONAL LAND SURVEYOR

OREGON JULY 17, 1981 CHRIS FISCHBORN **EXHIBIT** A

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## **Property Report**

(211)

CITY OF MOLALLA PO BOX 248 MOLALLA, OR 97038

Site Address:

NO SITUS

Taxlot Number:

52E07D 00600

Land Value:

23468 0

Building Value: Total Value:

23468

Acreage:

Year Built:

Sale Date:

07/13/2006

Sale Amount:

35109

Sale Type:

Land Class:

100

**Building Class:** 

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035040

Site Characteristics:

Location Map:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

Zone

MDUSTRIAL WAY

Overlays:

Acreage:

**PSP** 

0.30

Fire

Molalla RFPD #73

Park

School Sewer

**SCH 35 MOLALLA RIVER** N/A

Water

N/A

Cable

Wave Broadband (Molalla)

CPO

Garb/Recyc

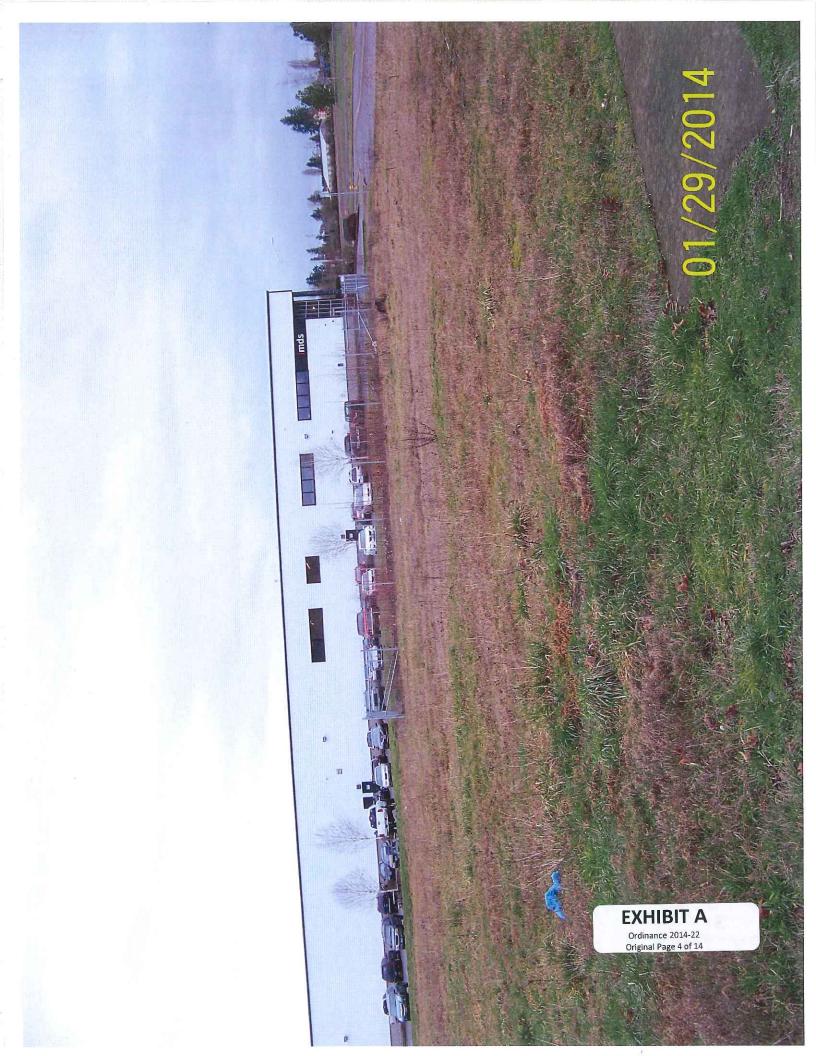
City Molalla Sanitary

City/County

Molalla

**EXHIBIT A** 

Ordinance 2014-22 Original Page 3 of 14





## **Property Report**

CITY OF MOLALLA PO BOX 248 MOLALLA, OR 97038

Site Address:

NO SITUS

Taxlot Number:

52E07D 00701

Land Value:

1333

Building Value:

0

Total Value:

1333

Acreage:

Year Built:

Sale Date:

07/13/2006

Sale Amount:

35109

Sale Type:

M

Land Class:

100

**Building Class:** 

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035040



Site Characteristics:

UGB:

Flood Zone:

MOLALLA Not Available Zoning Designation(s):

Zone

Overlays:

Acreage:

**PSP** 

0.05

Fire

Molalla RFPD #73

Park

N/A

School

**SCH 35 MOLALLA RIVER** 

Sewer

N/A N/A

Water Cable

Wave Broadband (Molalla)

CPO

City

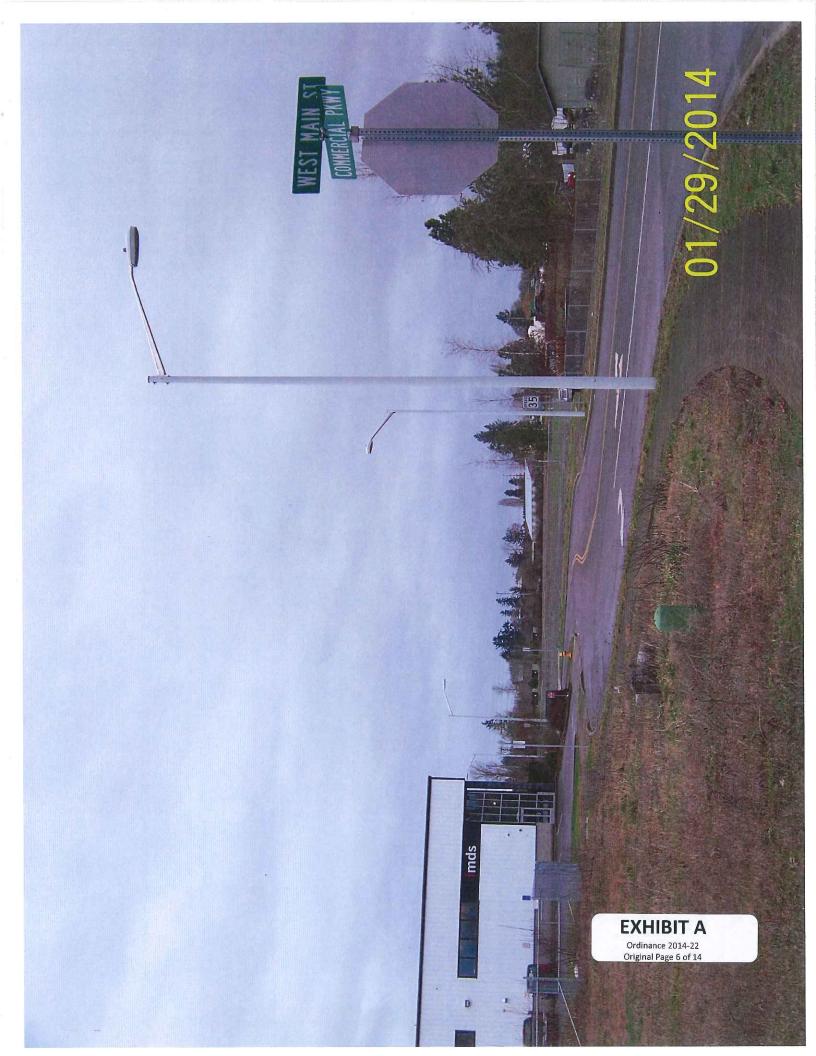
Garb/Recyc

Molalla Sanitary

City/County Molalla

EXHIBIT A

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## **Property Report**

**VALOV WILLIAM F** 2339 MONTERA DR **HACIENDA HEIGHTS, CA 91745** 

Site Address:

12930 S HWY 211

Taxlot Number:

52E07D 00500

Land Value:

38669

**Building Value:** 

0

Total Value:

38669

Acreage:

Year Built:

Sale Date:

06/01/1994

Sale Amount:

10000

Sale Type:

Land Class:

100

**Building Class:** 

Neighborhood:

Molalia rural north 100,

Taxcode Districts: 035040



Site Characteristics:

UGB:

Flood Zone:

**MOLALLA** Not Available Zoning Designation(s):

Zone

Overlays:

Acreage:

M2

0.32

Fire

Molalla RFPD #73

Park School N/A

Sewer

N/A

Molalla

Water Cable

N/A Wave Broadband (Molalla)

SCH 35 MOLALLA RIVER

CPO

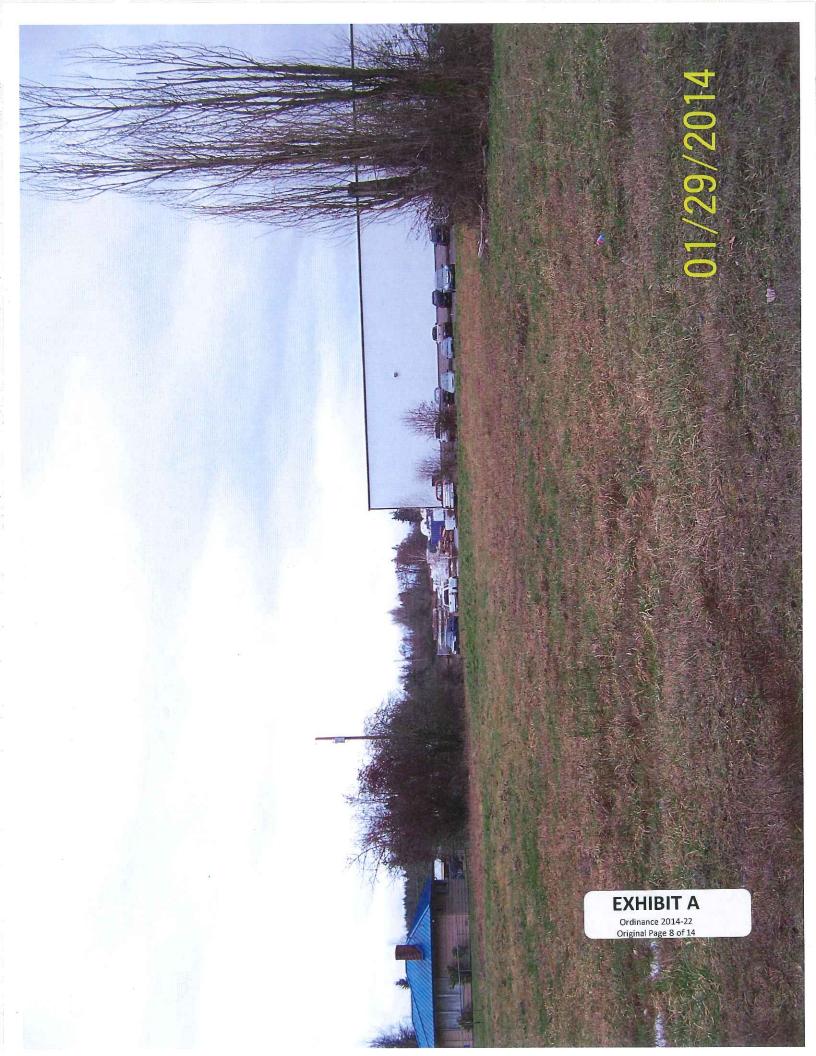
City

Molalla Sanitary

Garb/Recyc City/County

**EXHIBIT A** 

Ordinance 2014-22 Original Page 7 of 14





## **Property Report**

**VALOV WILLIAM P** 2339 MONTERA **HACIENDA HEIGHTS, CA 91745** 

Site Address:

12940 S HWY 211

Taxlot Number:

52E07D 00400

Land Value:

46936

**Building Value:** 

0

Total Value:

46936

Acreage:

Year Built:

Sale Date:

06/01/1989

Sale Amount:

18000

Sale Type:

Land Class:

100

**Building Class:** 

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035040

Location Map:

211

**MOLALLA** 

Flood Zone:

Zoning Designation(s):

Zone

Overlays:

Acreage:

RRFF5

Site Characteristics:

UGB:

Not Available

0.85

Fire

Molalla RFPD #73

Park

N/A

School

SCH 35 MOLALLA RIVER

Sewer

CPO

Water

N/A

Cable

N/A Wave Broadband (Molalla)

Garb/Recyc City/County

Molalla

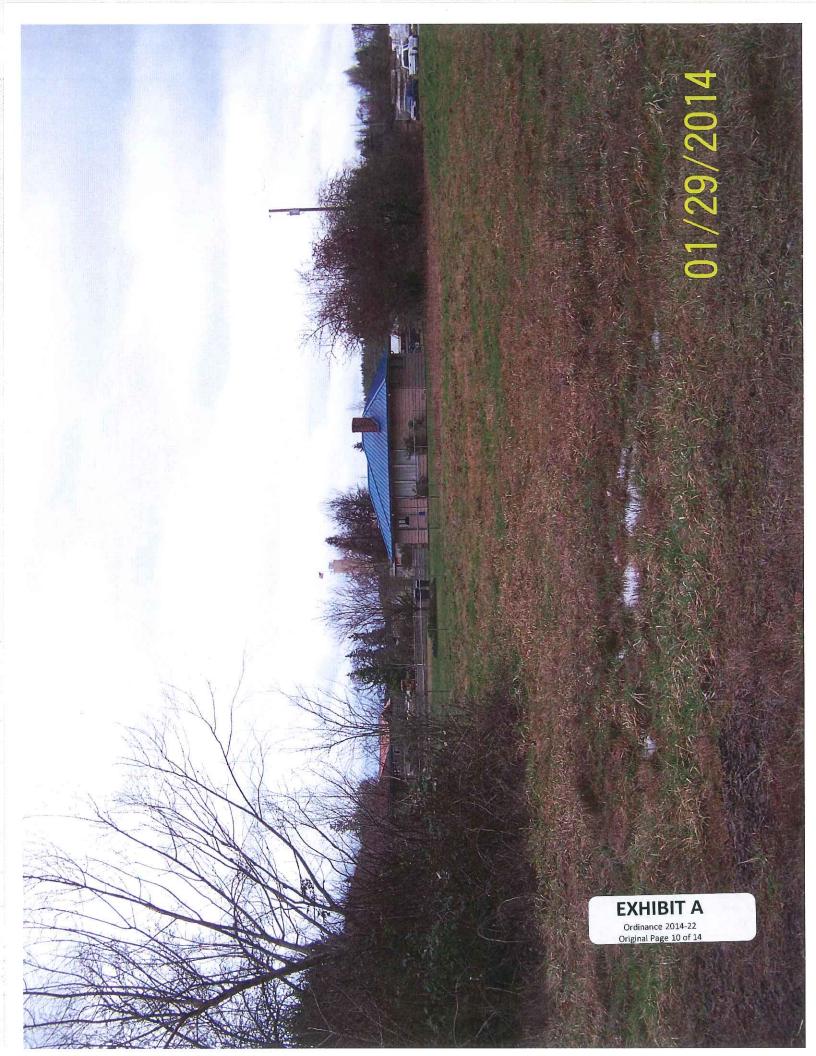
Molalla Sanitary Clackamas Co.

**EXHIBIT A** 

Ordinance 2014-22 Original Page 9 of 14

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.

Generated 01/24/2014 2.28 PM





## **Property Report**

#### SCHOENBORN KATHY D TRUSTEE 12966 S HWY 211 MOLALLA, OR 97038

Site Address:

12966 S HWY 211

Taxlot Number:

52E07D 00200

Land Value:

Building Value: 357600

Total Value:

Acreage:

Year Built:

1954

Sale Date:

08/30/2010

Sale Amount:

Sale Type:

Land Class:

101

**Building Class:** 

15

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035040

92485

450085

Site Characteristics:

Location Map:

211

UGB:

MOLALLA

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

S MOLALLA FOREST RD

Acreage:

211

RRFF5

2.13

Fire

Molalla RFPD #73

Park

N/A

School

SCH 35 MOLALLA RIVER N/A

Sewer Water

Cable

N/A Wave Broadband (Molalla)

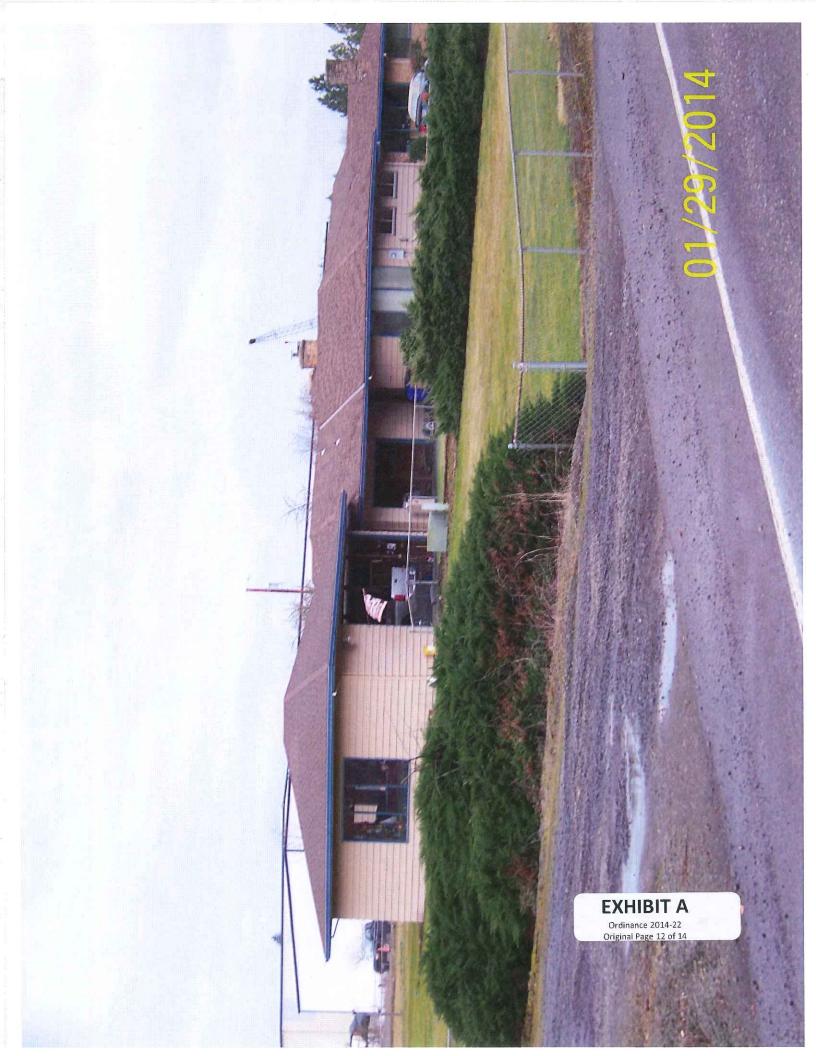
CPO

Molalla

Garb/Recyc City/County Molalla Sanitary Clackamas Co.

**EXHIBIT A** 

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## **Property Report**

#### SCHOENBORN KATHY D TRUSTEE 12966 S HWY 211 MOLALLA, OR 97038

Site Address:

12968 S HWY 211

Taxlot Number:

52E07D 00300

Land Value:

64394

Building Value: Total Value:

50450 114844

Acreage:

Year Built:

1954

Sale Date:

08/30/2010

Sale Amount:

Sale Type:

Land Class:

101

**Building Class:** 

13

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035040

Location Map: S MOLALLA FOREST RD

Site Characteristics:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

RRFF5

1.01

Fire

Molalla RFPD #73

Park

N/A

School Sewer

N/A

Water

Wave Broadband (Molalla)

SCH 35 MOLALLA RIVER

Cable CPO

N/A

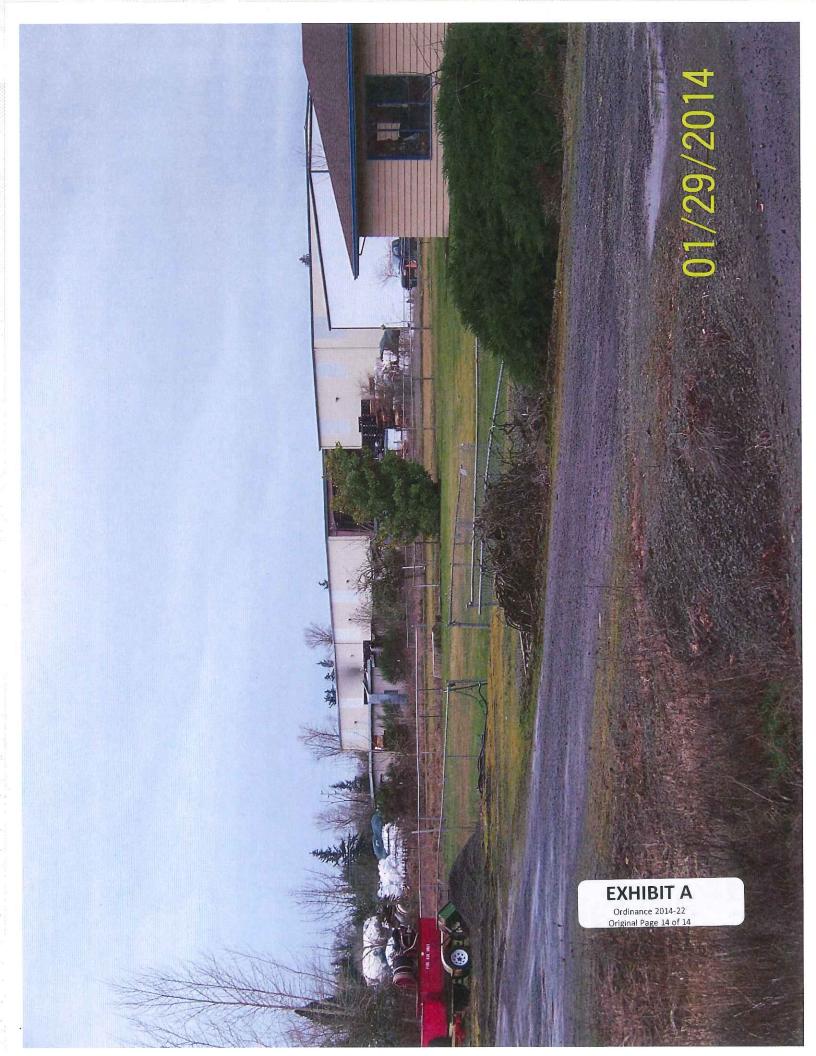
Garb/Recyc City/County

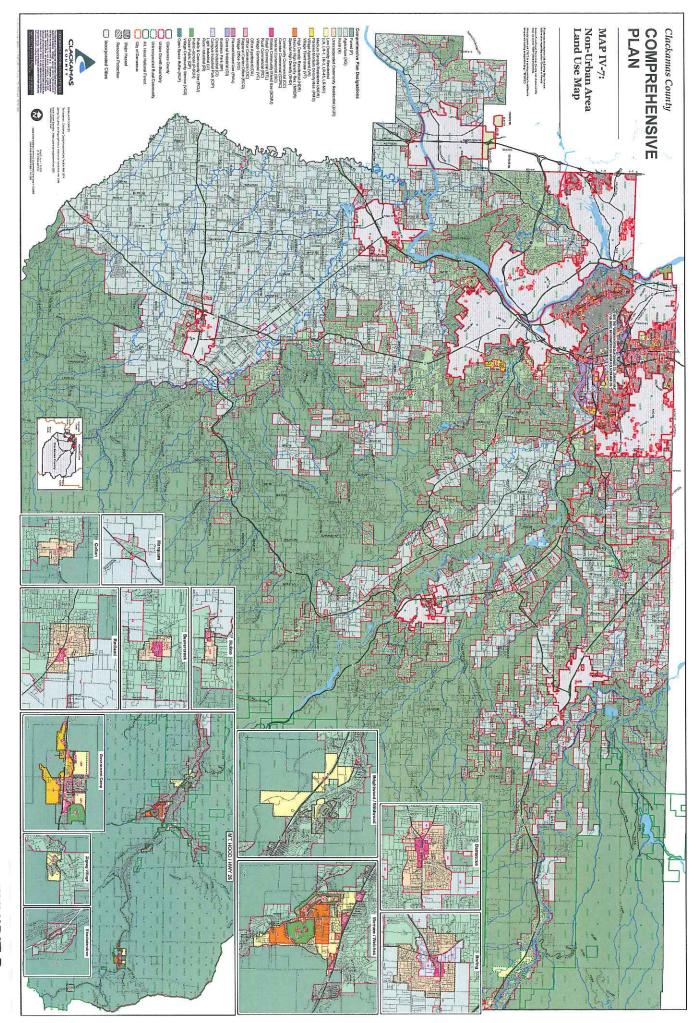
Molalla

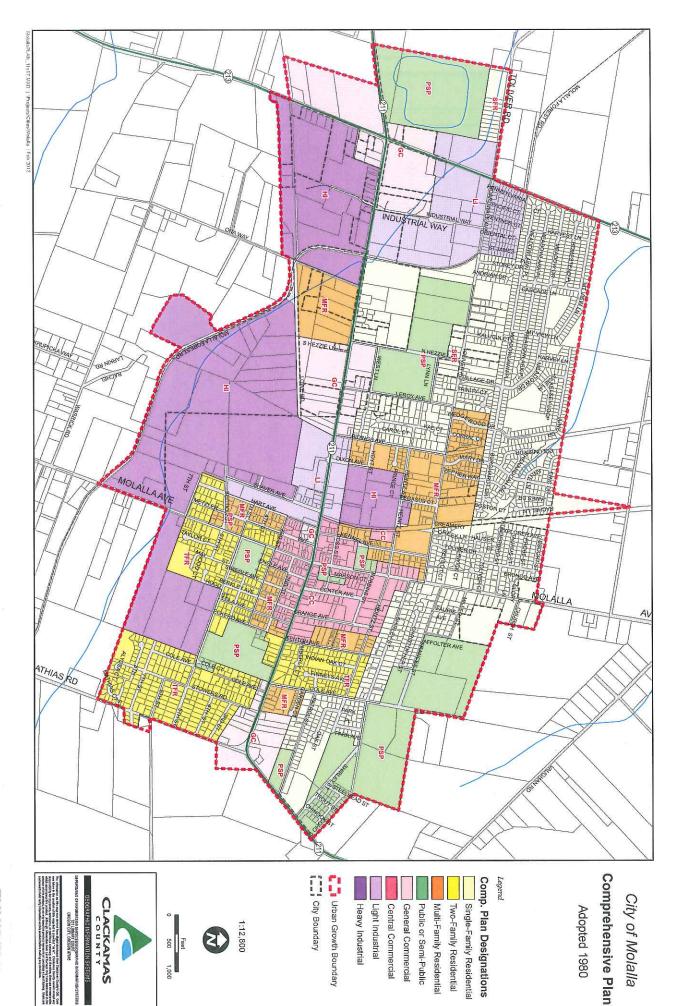
Molalla Sanitary Clackamas Co.

**EXHIBIT A** 

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#### CITY OF MOLALLA

#### **ORDINANCE No. 2014 - 23**

# AN ORDINANCE ANNEXING ISLAND TERRITORY INTO THE CITY OF MOLALLA, WITHDRAWING THE TERRITORY FROM SPECIAL DISTRICTS, AMENDING THE COMPREHESIVE PLAN AND REZONING PROPERTY.

**WHEREAS**, pursuant to ORS 222.750, the City of Molalla ("City") initiated annexation of territory surrounded by the corporate boundaries of the City (Case File No. P-6-2014);

WHEREAS, the City notified affected property owners and others entitled to notice under the City's code and notified the state of its intent to annex such territory;

WHEREAS, on June 4, 2014, the Molalla Planning Commission held a duly noticed public hearing to consider the annexation of several islands surrounded by the City's corporate boundaries;

WHEREAS, the planning commission recommended the Molalla City Council annex the islands in accordance with the City's code and state law; and

**WHEREAS**, the city council held a public hearing on July 9, 2014 and decided to annex the islands, withdraw the islands from certain districts, amend the properties' comprehensive plan designations and change the zoning on the properties from county to city zoning.

**NOW, THEREFORE,** the City of Molalla ordains:

**Section 1.** The real properties that are the subject of this ordinance are located in a tract of land being all of Lots 4, 5, 6, 7, 8, 9 and 10 of the Plat of "West Molalla Homes" (Plat No. 675), and a portion of State Highway 211, and a portion of Commercial Parkway, all located in the Southeast one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon:

Tax Lot No. 52E07D 01200

Tax Lot No. 52E07D 01100

Tax Lot No. 52E07D 01000

Tax Lot No. 52E07D 00900

Tax Lot No. 52E07D 00800

These properties are annexed into the City of Molalla. A meets and bounds legal description, surveyor's map, current Clackamas County Property Report and a time stamped photo of the property are attached and incorporated as Exhibit A.

**Section 2.** The existing Clackamas County comprehensive plan designation, RI (Rural Industrial), is changed to a City plan designation of HI (Heavy Industrial). This change is supported by findings, attached and incorporated as Exhibit B.

**Section 3.** The existing Clackamas County zoning for the affected property, RRFF5 (Rural, Residential, Farm/Forest, 5-acre Minimum Lot Size) is changed to M-2 (Heavy Industrial). The properties are currently:

Tax Lot No. 52E07D 01200 Undeveloped
Tax Lot No. 52E07D 01100 Residential – In Use
Tax Lot No. 52E07D 01000 Residential – In Use
Tax Lot No. 52E07D 00900 Residential – In Use
Tax Lot No. 52E07D 00800 Residential – In Use

**Section 4.** The territory is withdrawn from the following service/special districts: None noted.

**Section 5.** Lawfully established land uses occurring on or within the annexed territory may continue and will be treated as nonconforming uses after the effective date of annexation to the City.

Section 6. The Molalla City Recorder shall:

- 1. Mail a copy of this ordinance and attachments to the Oregon Department of Revenue;
- 2. Mail a copy of this ordinance to Clackamas County and all affected service districts;
- 3. Mail a copy of this ordinance to the Oregon Department of Land Conservation and Development, together with the appropriate forms required by the department; and
- 4. If the property owner of the annexed territory appeared before the planning commission or city council, mail a notice to the property owner summarizing this ordinance and describing the owner's right to appeal this decision.

Adopted this 9th day of July by the City Co	ouncil of the City of Molalla on a vote of ayes and
	Mayor Deborah Rogge
Attest this 9th day of July 2014	
City Recorder Sadie Cramer	

## **ZTec Engineers, Inc.**

John McL. Middleton, P.E.

Civil • Structural • Surveying

Chris C. Fischborn, P.L.S. 3737 SE 8<sup>th</sup> Ave. Portland, OR 97202 503-235-8795

FAX: 503-233-7889

Email: chris@ztecengineers.com

12810, 12852, 12874 & 12888 State Highway 211 & Tax Lot 1200 on Map 5S 2E 07D Annexation to the City of Molalla

#### Exhibit A

A Tract of land being all of Lots 4, 5, 6, 7, 8, 9 and 10 of the Plat of "West Molalla Homes" (Plat No. 675), and a portion of State Highway 211, and a portion of Commercial Parkway, all located in the Southeast one-quarter of Section 7, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon. Said Tract of land being more particularly described as follows:

Beginning at the intersection of the Westerly line of said Lot 4 of said "West Molalla Homes" with the Southerly right of way line of said State Highway 211; thence North 08°30′00″ East, at right angles to said Highway 211, a distance of 60.00 feet to a point on the Northerly right of way line of said Highway 211; thence South 81°30′00″ East, along said Northerly right of way line, a distance of 536.93 feet to a point; thence South 08°30′00″ West, at right angles to said Highway 211, a distance of 60.00 feet to the intersection of said Southerly right of way line of said Highway 211 with the Easterly right of way line of said Commercial Parkway; thence South 18°58′15″ West, along said Easterly right of way line of said Commercial Parkway, a distance of 208.68 feet to a point; thence North 81°30′00″ West, along the Easterly extension of the Southerly line of said "West Molalla Homes" Plat, and along said Southerly boundary line, a distance of 538.40 feet to the Southwesterly corner of said Lot 4 of said "West Molalla Homes", thence North 19°22′00″ East, along the Westerly line of said Lot 4, a distance of 208.96 feet to the true point of beginning of the Tract of land herein described.

Said Tract of land contains an area of 3.2725 acres (142,551 square feet), more or less.

The bearings and distances in this description are based on Clackamas County Plat of "West Mollala Homes" and Clackamas County Partition Plat No. 2007-129.

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON JULY 17, 1981 CHRIS FISCHBORN

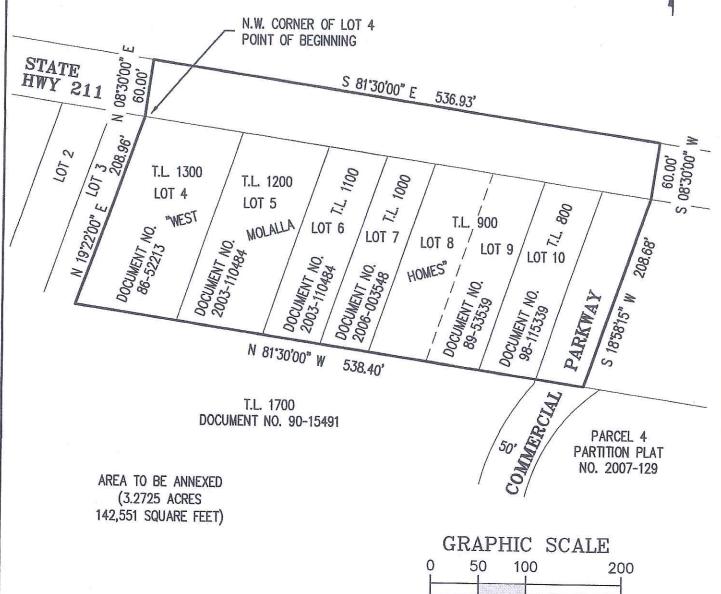
1944

**EXHIBIT** A

Ronald b. Sellards, P.E.

Ordinance 2014-23 Original Page 1 of 12 12810, 12852, 12860, 12874 & 12888 STATE HIGHWAY 211 & TAX LOT 1200 ON MAP 5S 2E 07D CITY OF MOLALLA ANNEXATION EXHIBIT "B"





LOCATED IN THE S.E. 1/4 SECTION 7, T.5S., R.2E., W.M., CLACKAMAS CO., OR

#### **EXHIBIT** A

Ordinance 2014-23 Original Page 2 of 12

ZTec ENGINEERS, INC.

( IN FEET ) 1 INCH = 100 FEET

3737 S.E. 8TH AVE. PORTLAND, OREGON 97202 (503) 235-8795

NTLE:		EXHI	EXHIBIT		"B"	
740	AT	BASE.	40	40	4=	

PLOT DATE: 12-10-13

FILE: W1202-70.DWG

LIENT: CITY OF MOLALLA

SHEET: 1 OF 1



## **Property Report**

**CARROLL RICHARD & ROXANNE** 7011 SE BAILEY ST **LACEY, WA 98513** 

Site Address:

NO SITUS

Taxlot Number:

52E07D 01200

Land Value:

9334

Building Value:

0

Total Value:

9334

Acreage:

Year Built:

Sale Date:

10/28/2005

Sale Amount:

Sale Type:

S

Land Class:

101

**Building Class:** 

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035040

Location Map:

UGB:

**MOLALLA** 

Flood Zone:

Zone

(211)

Zoning Designation(s): Overlays:

Acreage:

RRFF5

0.43

Site Characteristics:

Not Available

Fire

Molalla RFPD #73

Park

School

**SCH 35 MOLALLA RIVER** 

Sewer Water

N/A N/A

Cable

Wave Broadband (Molalla)

CPO

Molalla

Garb/Recyc City/County

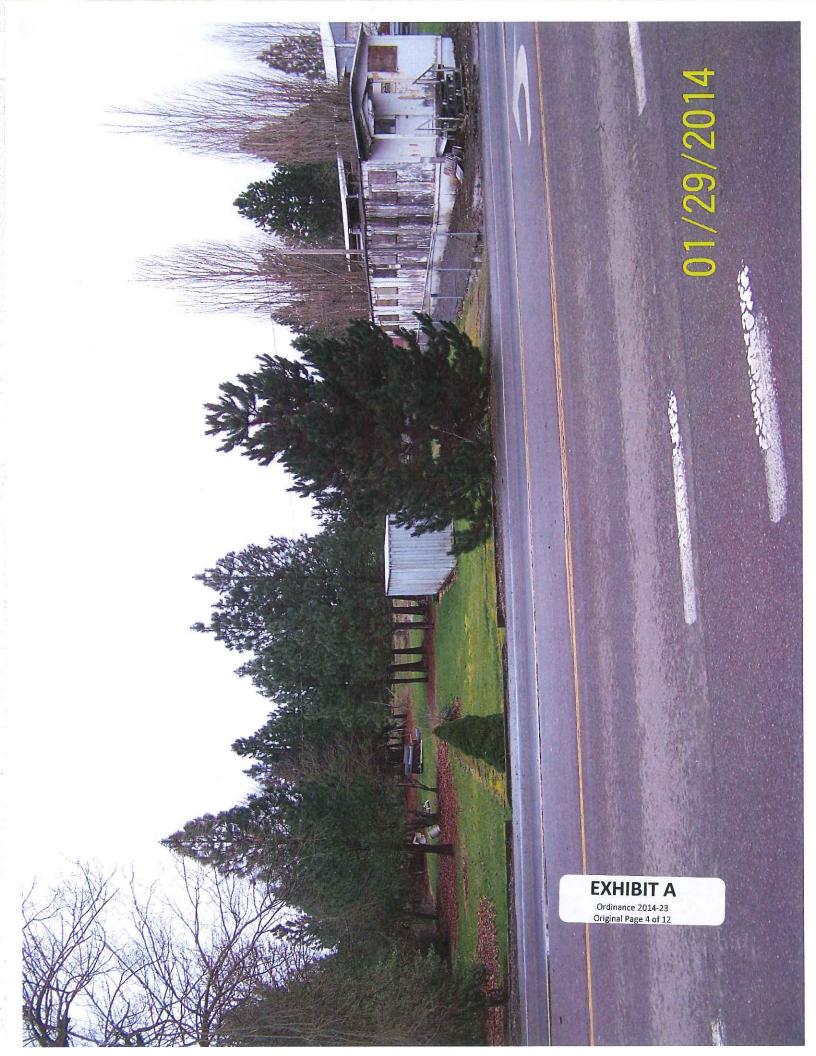
Molalla Sanitary Clackamas Co.

**EXHIBIT A** 

Ordinance 2014-23 Original Page 3 of 12

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.

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## **Property Report**

FOUNTAIN WA

#### **CARROLL RICHARD & ROXANNE** 7011 SE BAILEY ST **LACEY, WA 98513**

Site Address:

12852 S HWY 211

Taxlot Number:

52E07D 01100

Land Value:

59371

Building Value:

81860

Total Value:

141231

Acreage:

Year Built:

1920

Sale Date:

10/28/2005

Sale Amount:

0

Sale Type:

Land Class:

101

**Building Class:** 

13

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035040

Location Map:

Site Characteristics:

UGB:

MOLALLA

Flood Zone:

Not Available

(211)

Zone

Zoning Designation(s): Overlays:

Acreage:

RRFF5

0.28

Fire

Molalla RFPD #73

Park

School

SCH 35 MOLALLA RIVER

Sewer

N/A N/A

Water Cable

Wave Broadband (Molalla)

CPO

Molalla

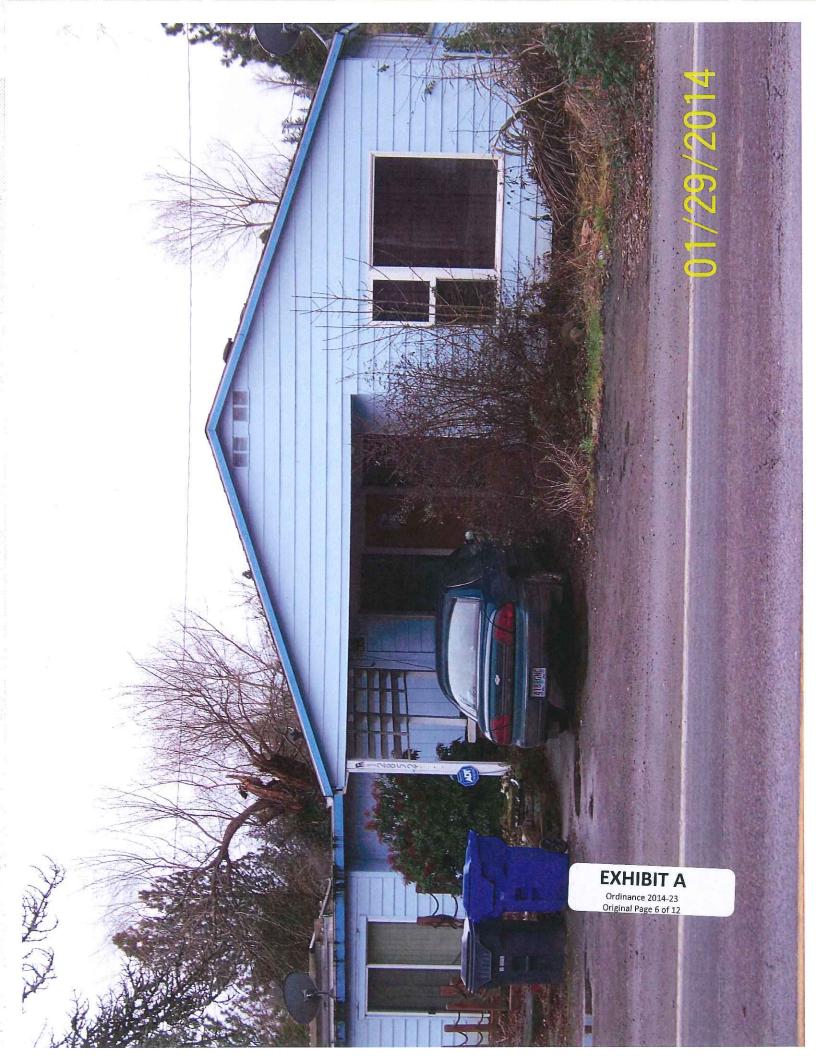
Garb/Recyc City/County **Molalla Sanitary** Clackamas Co.

EXHIBIT A

Ordinance 2014-23 Original Page 5 of 12

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Generated 01/28/2014 12.18 PM





# **Property Report**

PHILPOT FRED 12860 S HWY 211 MOLALLA, OR 97038

Site Address:

12860 S HWY 211

Taxlot Number:

52E07D 01000

Land Value:

60171

**Building Value:** Total Value:

58360 118531

Acreage:

Year Built:

1920

Sale Date:

01/12/2006

Sale Amount:

0

Sale Type:

Land Class:

101

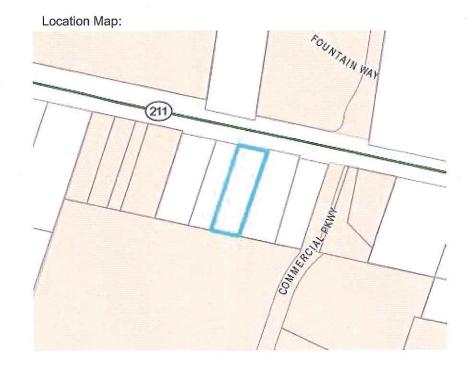
**Building Class:** 

12

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035040



Site Characteristics:

UGB:

MOLALLA

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

RRFF5

0.35

Fire

Molalla RFPD #73

Park

School

**SCH 35 MOLALLA RIVER** 

Sewer

Water

N/A

Cable

N/A

CPO

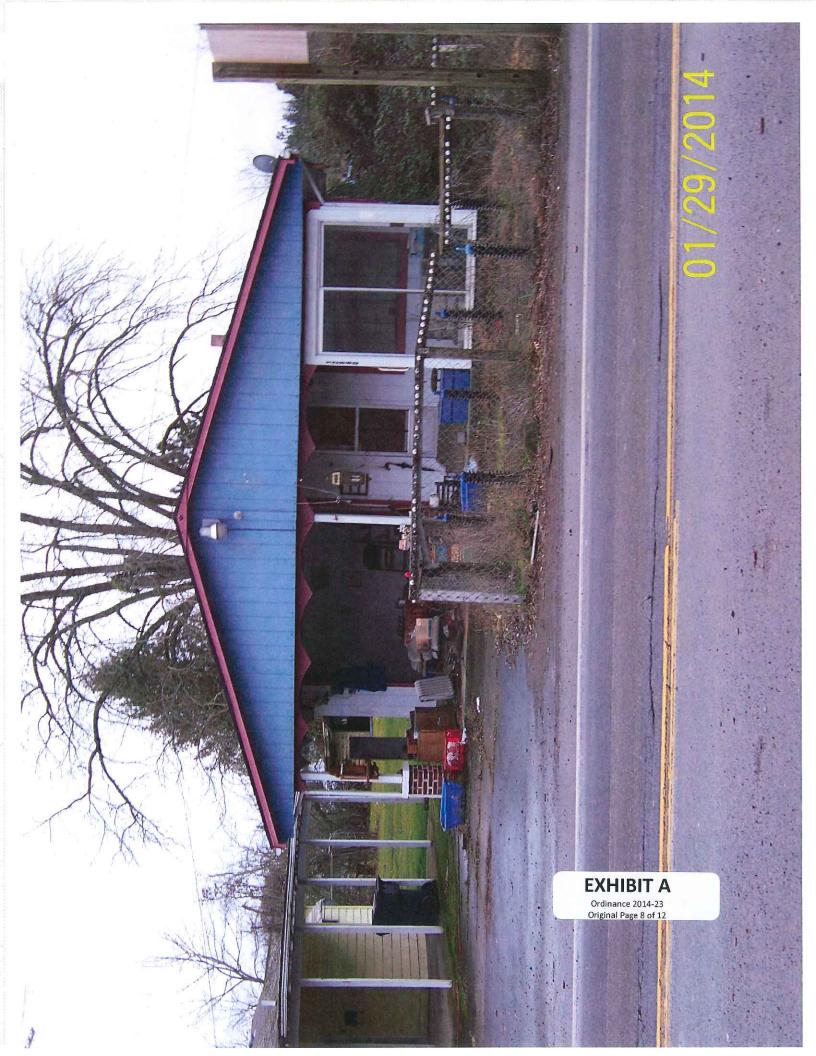
Wave Broadband (Molalla)

Molalla

Garb/Recyc City/County Molalla Sanitary Clackamas Co.

**EXHIBIT A** 

Ordinance 2014-23 Original Page 7 of 12





#### **Property Report**

KIRBY RUTH L-EST 12874 S HWY 211 MOLALLA, OR 97038

Site Address:

12874 S HWY 211

Taxlot Number:

52E07D 00900

Land Value:

65505

**Building Value:** Total Value:

75250 140755

Acreage: Year Built:

1920

Sale Date:

11/01/1989

Sale Amount:

Sale Type:

Land Class:

101

**Building Class:** 

13

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035040

Location Map:

211

UGB:

MOLALLA

Flood Zone:

Zoning Designation(s):

<u>Zone</u>

Overlays:

Acreage:

RRFF5

0.45

Site Characteristics:

Not Available

Fire

Molalla RFPD #73

Park

School Sewer

N/A

Water

N/A

Cable

Wave Broadband (Molalla)

**SCH 35 MOLALLA RIVER** 

CPO

Molalla

Molalla Sanitary

Garb/Recyc City/County

Clackamas Co.

**EXHIBIT A** 

Ordinance 2014-23 Original Page 9 of 12





# **Property Report**

PRICE WILLARD T 12605 S GRONSHONG RD MOLALLA, OR 97038

Site Address:

12888 S HWY 211

Taxlot Number:

52E07D 00800

Land Value:

50237

Building Value: Total Value: 55040 105277

Acreage:

Year Built:

1920

Sale Date:

12/01/1998

Sale Amount:

72000

Sale Type:

Land Class:

101

Building Class:

12

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035040

Fire Park

CPO

Molalla RFPD #73

School

N/A SCH 35 MOLALLA RIVER

Sewer I

N/A

Water

N/A

Cable Wave Broadband (Molalla)

Garb/Recyc City/County Molalla Sanitary Clackamas Co.

Molalla Molalla Sanit



Site Characteristics:

UGB:

MOLALLA

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

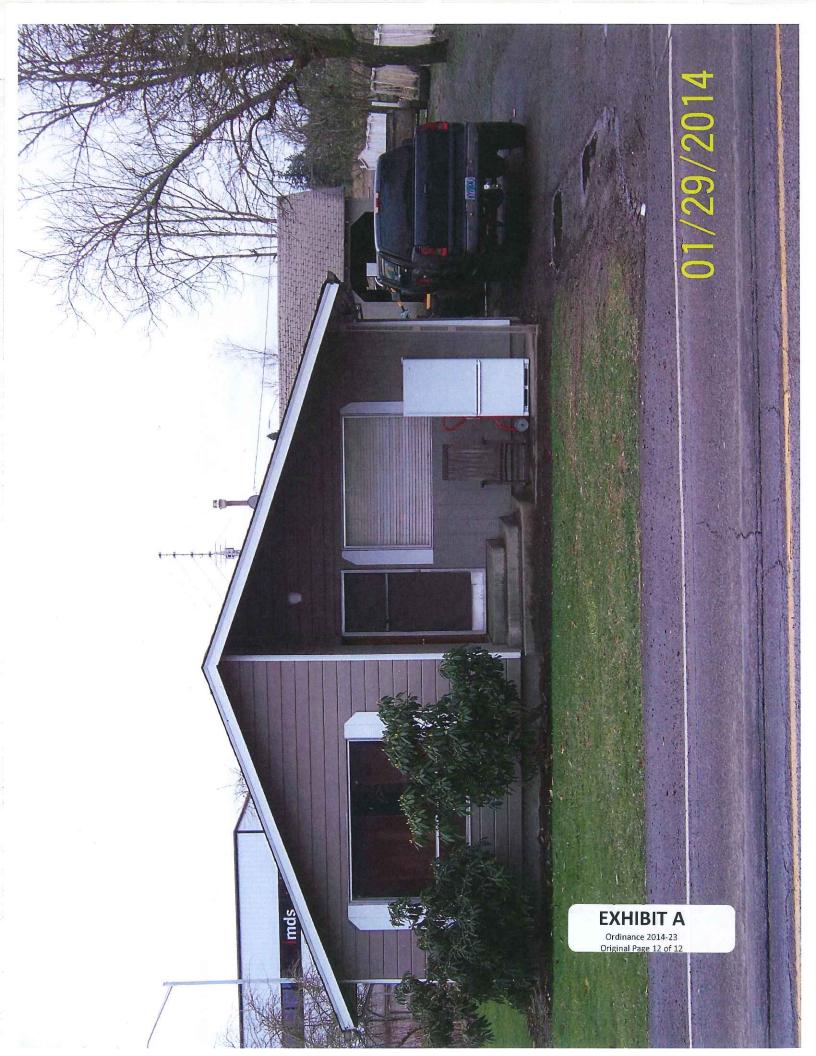
Acreage:

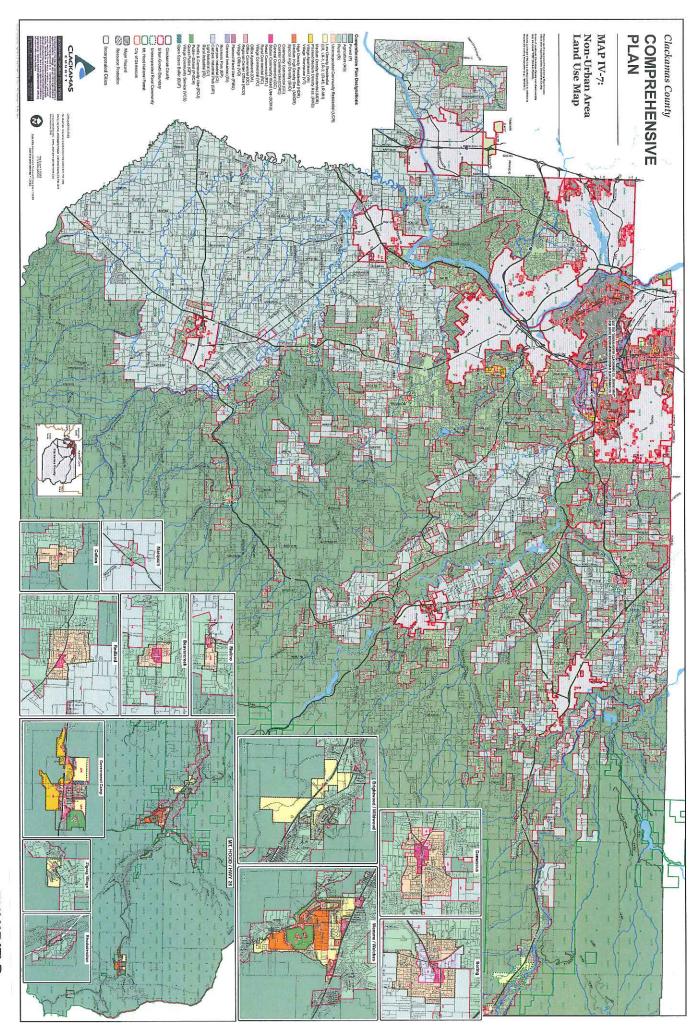
RRFF5

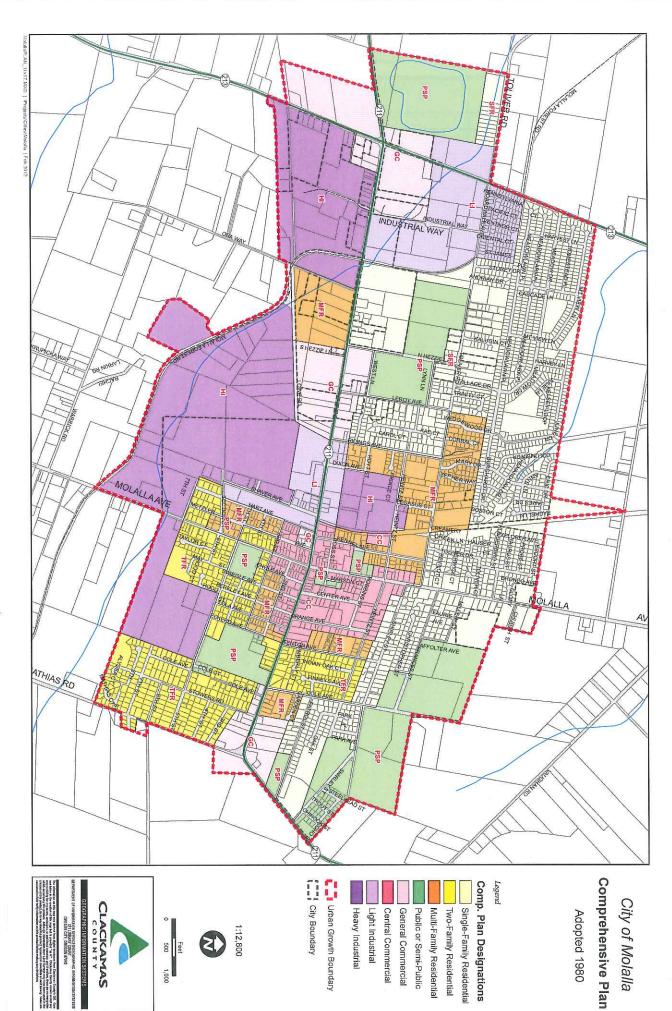
0.33

EXHIBIT A

Ordinance 2014-23 Original Page 11 of 12









#### CITY OF MOLALLA

#### **ORDINANCE No. 2014 - 24**

# AN ORDINANCE ANNEXING ISLAND TERRITORY INTO THE CITY OF MOLALLA, WITHDRAWING THE TERRITORY FROM SPECIAL DISTRICTS, AMENDING THE COMPREHESIVE PLAN AND REZONING PROPERTY.

**WHEREAS**, pursuant to ORS 222.750, the City of Molalla ("City") initiated annexation of territory surrounded by the corporate boundaries of the City (Case File No. P-6-2014);

WHEREAS, the City notified affected property owners and others entitled to notice under the City's code and notified the state of its intent to annex such territory;

**WHEREAS**, on June 4, 2014, the Molalla Planning Commission held a duly noticed public hearing to consider the annexation of several islands surrounded by the City's corporate boundaries;

WHEREAS, the planning commission recommended the Molalla City Council annex the islands in accordance with the City's code and state law; and

**WHEREAS**, the city council held a public hearing on July 9, 2014 and decided to annex the islands, withdraw the islands from certain districts, amend the properties' comprehensive plan designations and change the zoning on the properties from county to city zoning.

NOW, THEREFORE, the City of Molalla ordains:

**Section 1.** The real properties that are the subject of this ordinance are located in a tract of land being all of those tracts of land described in Document No's 2013-043135, 96-041122, 2013-054991 and 87-14806 and being all of that tract of land described in that Deed recorded April 29, 1957 in Book 525, Page 37 and being all of that Tract of land described in that Deed recorded in Book "U", Page 233, Clackamas County Deed Records, and being a portion of State Highway 211, all located in the Southwest one-quarter of Section 8, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon:

Tax Lot No. 52E08C 01600

Tax Lot No. 52E08C 01700

Tax Lot No. 52E08C 01500

Tax Lot No. 52E08C 01400

Tax Lot No. 52E08C 01900

These properties are annexed into the City of Molalla. A meets and bounds legal description, surveyor's map, current Clackamas County Property Report and a time stamped photo of the property are attached and incorporated as Exhibit A.

**Section 2.** The existing Clackamas County comprehensive plan designation, R (Rural Residential), is changed to a City plan designation of MFR (Multi-Family Residential). This change is supported by findings, attached and incorporated as Exhibit B.

**Section 3.** The existing Clackamas County zoning for the affected property, RRFF5 (Rural, Residential, Farm/Forest, 5-acre Minimum Lot Size) is changed to R-3 (Multi-Family Residential), except for Tax Lot No. 52E08C 01900 is changed to PSP (Public or Semi-Public). The properties are currently:

Tax Lot No. 52E08C 01600 Residential – In Use
Tax Lot No. 52E08C 01700 Undeveloped
Tax Lot No. 52E08C 01500 Residential – In Use
Tax Lot No. 52E08C 01400 Commerical/Church – In Use
Tax Lot No. 52E08C 01900 Cemetary – In Use

**Section 4.** The territory is withdrawn from the following service/special districts: None noted.

**Section 5.** Lawfully established land uses occurring on or within the annexed territory may continue and will be treated as nonconforming uses after the effective date of annexation to the City.

Section 6. The Molalla City Recorder shall:

City Recorder Sadie Cramer

- 1. Mail a copy of this ordinance and attachments to the Oregon Department of Revenue;
- 2. Mail a copy of this ordinance to Clackamas County and all affected service districts;
- 3. Mail a copy of this ordinance to the Oregon Department of Land Conservation and Development, together with the appropriate forms required by the department; and
- 4. If the property owner of the annexed territory appeared before the planning commission or city council, mail a notice to the property owner summarizing this ordinance and describing the owner's right to appeal this decision.

Adopted this 9th day of Jul	y by the City Council	of the City of Molalla on a vote of	ayes and
		Marray Daharah Dama	
		Mayor Deborah Rogge	
Attest this 9th day of July 2	014		

#### **ZTec Engineers, Inc.**

Civil ♦ Structural ♦ Surveying

John McL. Middleton, P.E.

Chris C. Fischborn, P.L.S. 3737 SE 8<sup>th</sup> Ave. Portland, OR 97202 503-235-8795

FAX: 503-233-7889

Email: chris@ztecengineers.com

Ronald b. Sellards, P.E.

13210, 13250, 13288 & 13322 State Highway 211 31600 S. Ona Way, Tax Lot's 1700 & 1900 on Tax Map 5S2E08B Annexation to the City of Molalla

A Tract of land being all of those tracts of land described in Document No's 2013-043135, 96-041122, 2013-054991 and 87-14806 and being all of that tract of land described in that Deed recorded April 29, 1957 in Book 525, Page 37 and being all of that Tract of land described in that Deed recorded in Book "U", Page 233, Clackamas County Deed Records, and being a portion of State Highway 211, all located in the Southwest one-quarter of Section 8, Township 5 South, Range 2 East of the Willamette Meridian, Clackamas County, Oregon. Said Tract of land being more particularly described as follows:

Beginning at the intersection of the Southerly right of way line of State Highway 211 (60 feet wide) with the Easterly line of said Document No. 2013-043135 tract, said point of beginning being South 81°30'00" East a distance of 924.40 feet and South 08°30'00" West a distance of 30.00 feet from 3 1/4 inch bronze disc in a Monument box found at the Northwest corner of the Rachel Larkin Donation land Claim No. 43; thence South 20°41'03" East, along the Easterly line of said Document No. 2013-043135 tract, a distance of 668.77 feet to the Southeasterly corner thereof; thence North 81°30′00″ West, along the Southerly line of said Document No. 2013-043135 tract, and parallel with said State Highway 211, a distance of 199.82 feet to the Northeasterly corner of said Book "U", Page 233 tract, thence South 11 30' 00" West, along the Easterly line of said Book "U", Page 233 tract a distance of 264.00 feet to the Southeasterly corner thereof; thence North 78°30'00" West, along the Southerly line of Said Book "U", Page 233 tract, a distance of 267.30 feet to the Southwesterly corner thereof; thence North 11°30'00" East, along the Westerly line of said Book "U", Page 233 tract, a distance of 249.99 feet to the Northwesterly corner thereof, said point also being on the Southerly line of said Book 525, Page 37 tract; thence North 81°30'00" West, along said Southerly line, and along the Southerly line of said Document No. 96-041122 tract, and along the Southerly line of that Tract of land described as Parcel II in said Document No. 87-14806, a distance of 439.01 feet to the Southwest corner of said Parcel II, said point being on the Easterly right of way line of South Ona Way;

> REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 17, 1961
CHRIS FISCHBORN

1944

**EXHIBIT A** 

Ordinance 2014-24 Original Page 1 of 13 13210, 13250, 13288 & 13322 State Highway 211 - 31600 S. Ona Way, Tax Lot's 1700 & 1900 on Tax Map 5S2E08B - Annexation to the City of Molalla, cont.,

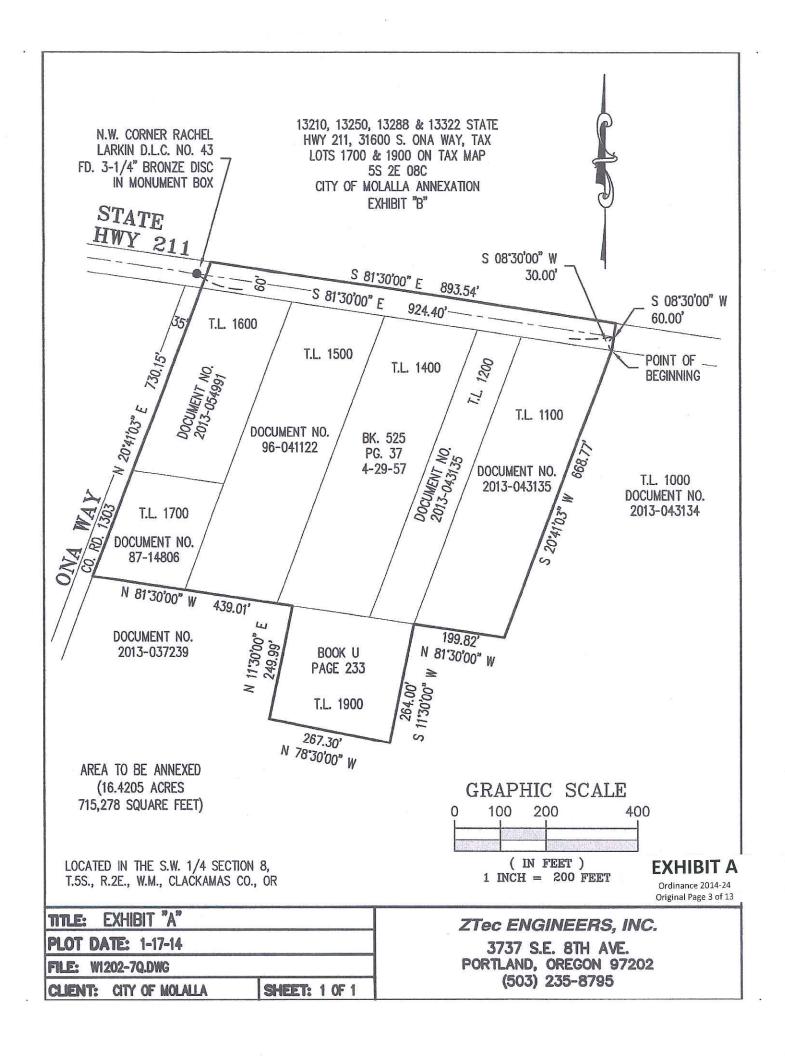
thence North 20°41′03″ East, along said Easterly right of way line and its Northerly extension, a distance of 730.15 feet to a point on the Northerly right of way line of said State Highway 211; thence South 81°30′00″ East, along said Northerly right of way line, a distance of 893.54 feet to a point; thence South 08°30′00″ West, at right angles to said State Highway 211, a distance of 60.00 feet to the true point of beginning of the Tract of land herein described.

Said Tract of land contains an area of 16.4205 acres (715,278 square feet) more or less.

The bearings and distances in this description are based on Clackamas County Survey No. 2008-324.

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 17, 1961
CHRIS FISCHBORM
1944





## **Property Report**

211

**HOLMES KATIE R & MICHAEL J** 31600 S ONA WAY MOLALLA, OR 97038

Site Address:

31600 S ONA WAY

Taxlot Number:

52E08C 01600

Land Value:

90944

**Building Value:** 

315260

Total Value:

406204

Acreage:

Year Built:

1958

Sale Date:

08/02/2013

Sale Amount:

300000

Sale Type:

S

Land Class:

101

**Building Class:** 

15

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035013

Site Characteristics:

Location Map:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

RRFF5

1.96

Fire

Park School

Sewer

Water

Cable

Garb/Recyc

CPO

City/County

Molalla RFPD #73

**SCH 35 MOLALLA RIVER** 

N/A

N/A

Wave Broadband (Molalla)

Molalla

**Molalla Sanitary** Clackamas Co.

EXHIBIT A

Ordinance 2014-24 Original Page 4 of 13

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#### **EXHIBIT A**

Ordinance 2014-24 Original Page 5 of 13



#### **Property Report**

**BURGHARDT JEANIE P** PO BOX 363 **CANBY, OR 97013** 

Site Address:

NO SITUS

Taxlot Number:

52E08C 01700

Land Value:

41768

Building Value:

Total Value:

41768

Acreage:

Year Built:

Sale Date:

04/01/1987

Sale Amount:

Sale Type:

Land Class:

100

**Building Class:** 

Neighborhood:

Molalla rural north 100,

Taxcode Districts: 035013

Fire

Molalla RFPD #73

Park

**SCH 35 MOLALLA RIVER** 

School Sewer

N/A

Water

N/A

Cable

Wave Broadband (Molalla)

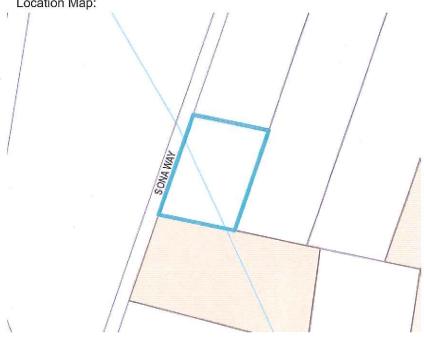
CPO

Garb/Recyc City/County Molalla Sanitary

Molalla

Clackamas Co.

Location Map:



Site Characteristics:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

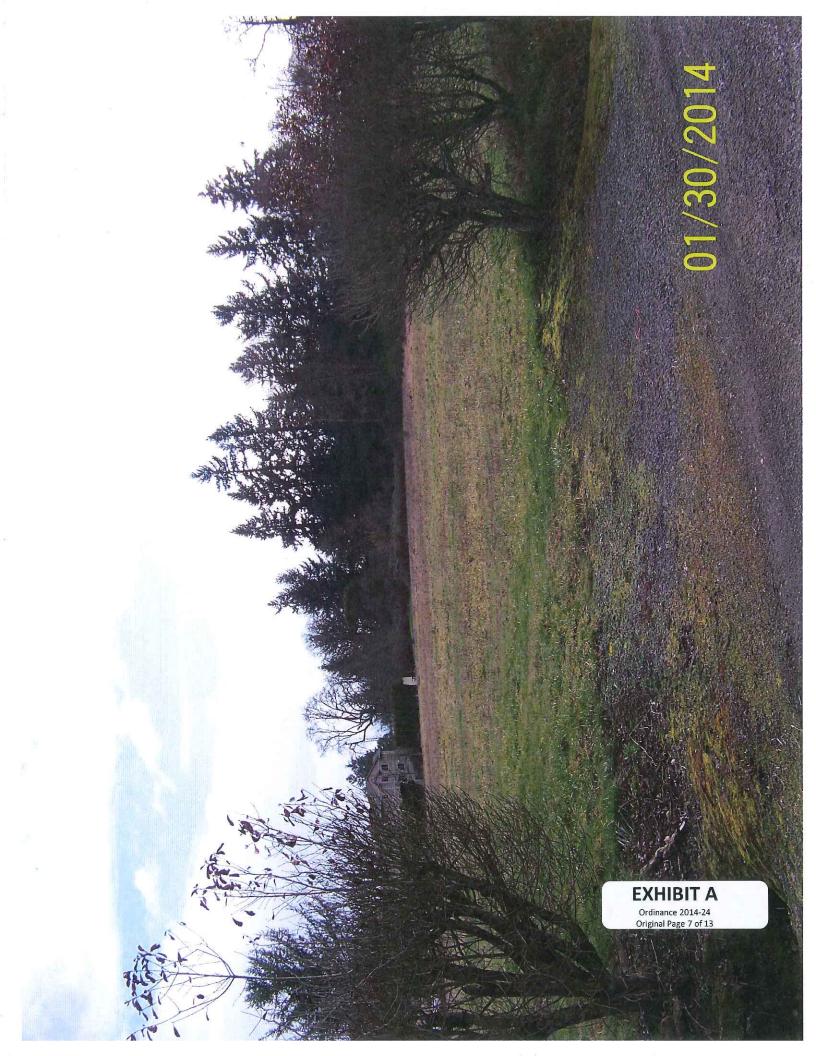
Acreage:

RRFF5

1.12

**EXHIBIT A** 

Ordinance 2014-24 Original Page 6 of 13





# **Property Report**

PUHLMAN ROY D & FAYE L 13210 S HWY 211 MOLALLA, OR 97038

Site Address:

13210 S HWY 211

Taxlot Number:

52E08C 01500

Land Value:

100312

272300

**Building Value:** 

Total Value:

372612

Acreage:

Year Built:

1958

Sale Date:

05/01/1996

Sale Amount:

75000

Sale Type:

Land Class:

401

**Building Class:** 

15

Neighborhood:

Molalla rural north all

Taxcode Districts: 035013

Site Characteristics:

Location Map:

MOLALLA

Flood Zone:

UGB:

S.MOLALLA FOR EST RD

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

RRFF5

Fire

Molalla RFPD #73

Park

**SCH 35 MOLALLA RIVER** 

Sewer

School

N/A N/A

Water

Cable Wave Broadband (Molalla) CPO

Garb/Recyc

Molalla Molalla Sanitary

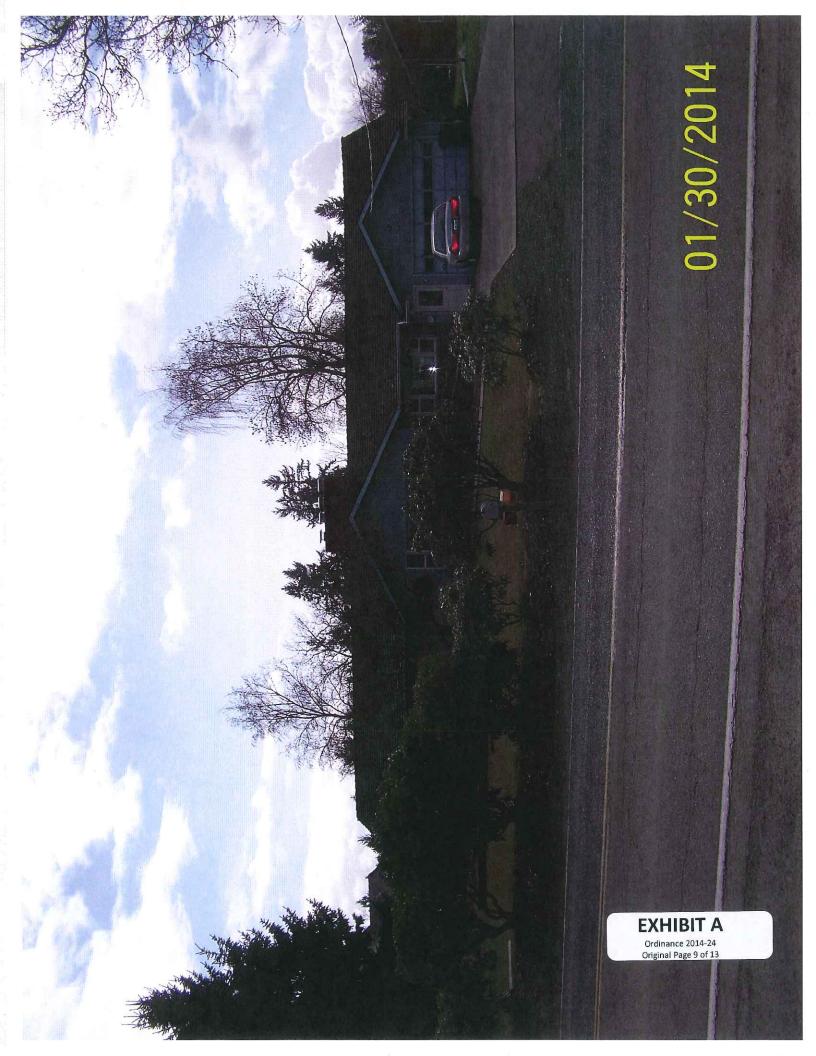
City/County

Clackamas Co.

2.94

**EXHIBIT A** 

Ordinance 2014-24 Original Page 8 of 13





## **Property Report**

CORP PRES BSHP CH JESUS CHRIST LDS **50 E NORTH TEMPLE ST 22 FLR** SALT LAKE CITY, UT 84150

Site Address:

13250 S HWY 211

Taxlot Number:

52E08C 01400

Land Value:

102687

Building Value:

1013540

Total Value:

1116227

Acreage:

Year Built:

Sale Date:

Sale Amount:

Sale Type:

Land Class:

401

**Building Class:** 

Neighborhood: Molalla rural north all

Taxcode Districts: 035013

Site Characteristics:

Location Map:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

RRFF5

211

3.15

Fire

Molalla RFPD #73

Park

School

Sewer

Water

Cable CPO

Garb/Recyc City/County Molalla

SCH 35 MOLALLA RIVER

N/A N/A

Wave Broadband (Molalla)

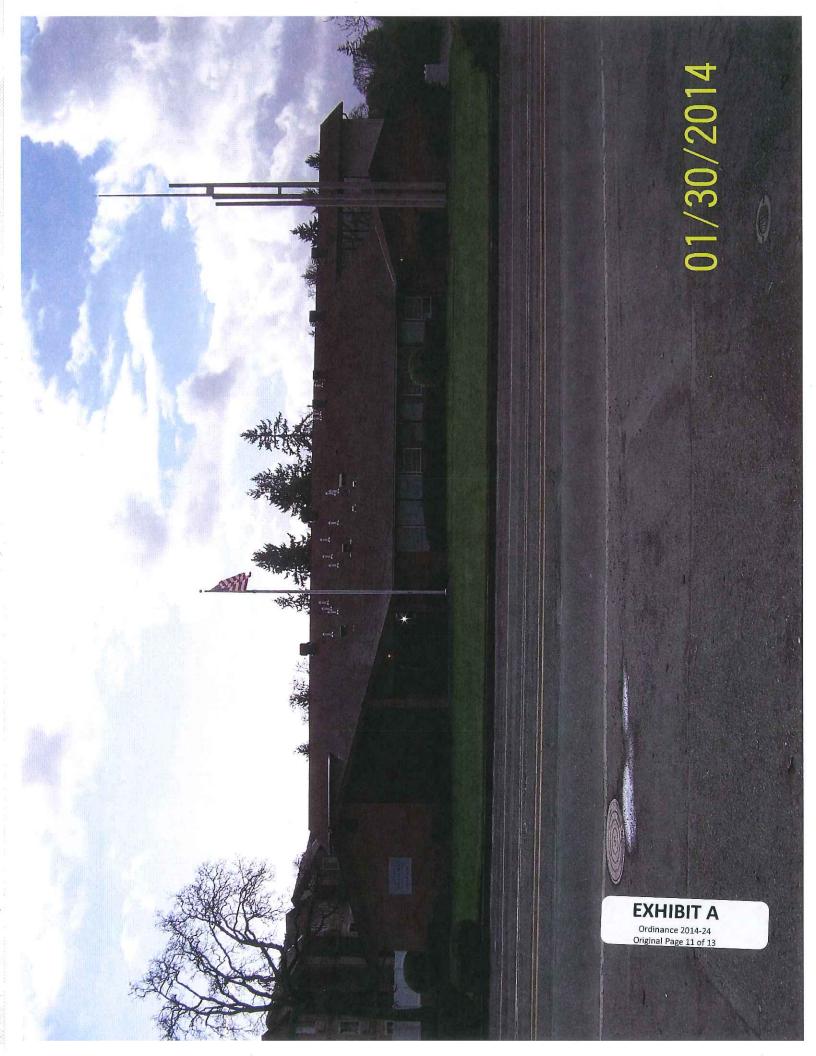
Molalla Sanitary Clackamas Co.

**EXHIBIT A** 

Ordinance 2014-24 Original Page 10 of 13

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## **Property Report**

**CEMETERY PUBLIC** 150 BEAVERCREEK RD **OREGON CITY, OR 97045** 

Site Address:

NO SITUS

Taxlot Number:

52E08C 01900

Land Value:

64109

Building Value:

Total Value:

64109

Acreage:

Year Built:

Sale Date:

Sale Amount:

Sale Type:

Land Class:

100

**Building Class:** 

Neighborhood:

Molalla rural north 100, Taxcode Districts: 035013

Fire

Molalla RFPD #73

Park School

**SCH 35 MOLALLA RIVER** 

Sewer N/A

Water

N/A

Cable CPO

Garb/Recvc

City/County

Wave Broadband (Molalla) Molalla Molalla Sanitary

Clackamas Co.

Location Map:



Site Characteristics:

UGB:

MOLALLA

Flood Zone: Not Available Zoning Designation(s):

Zone

Overlays:

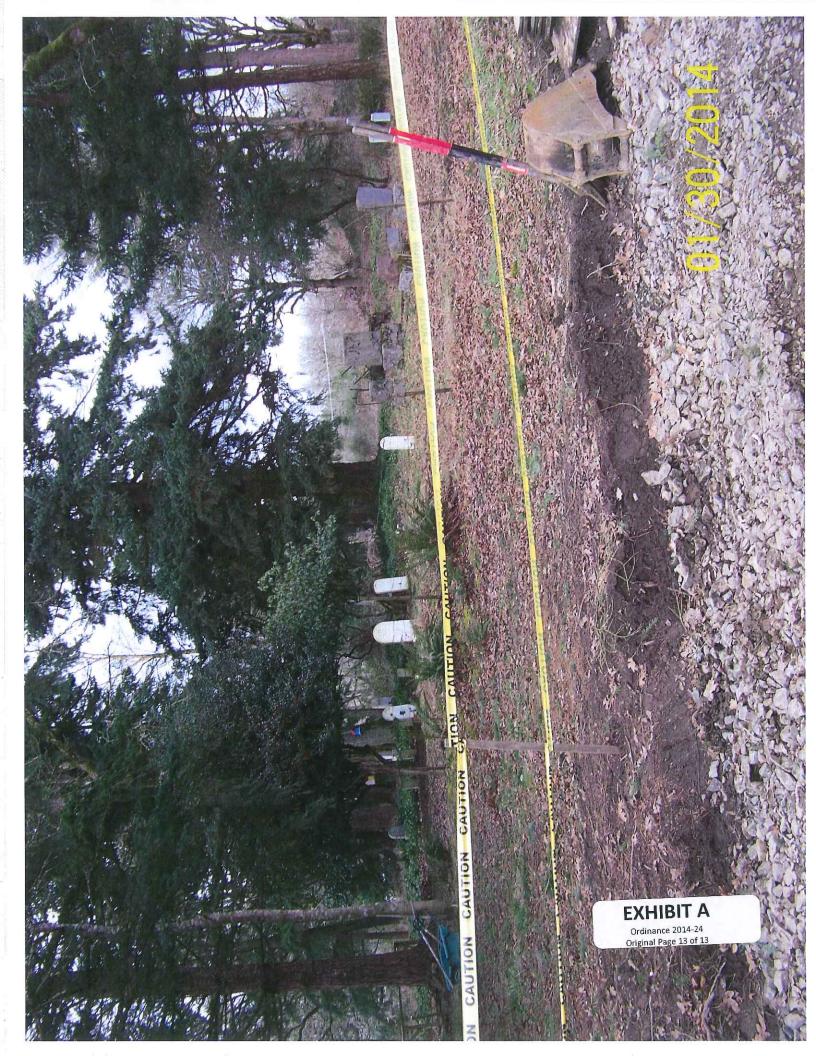
Acreage:

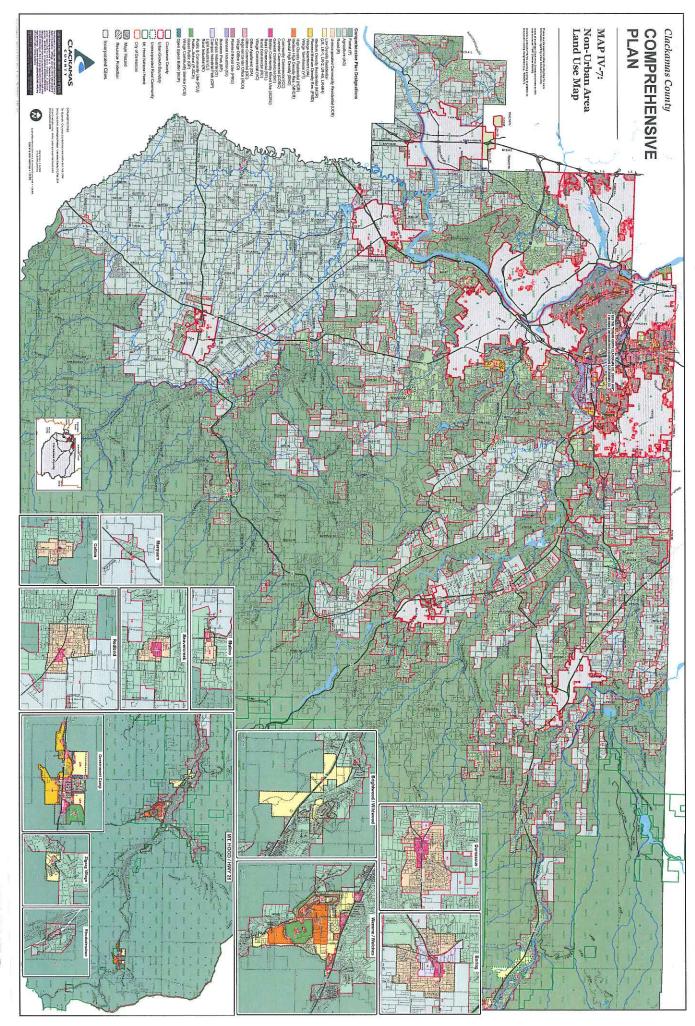
RRFF5

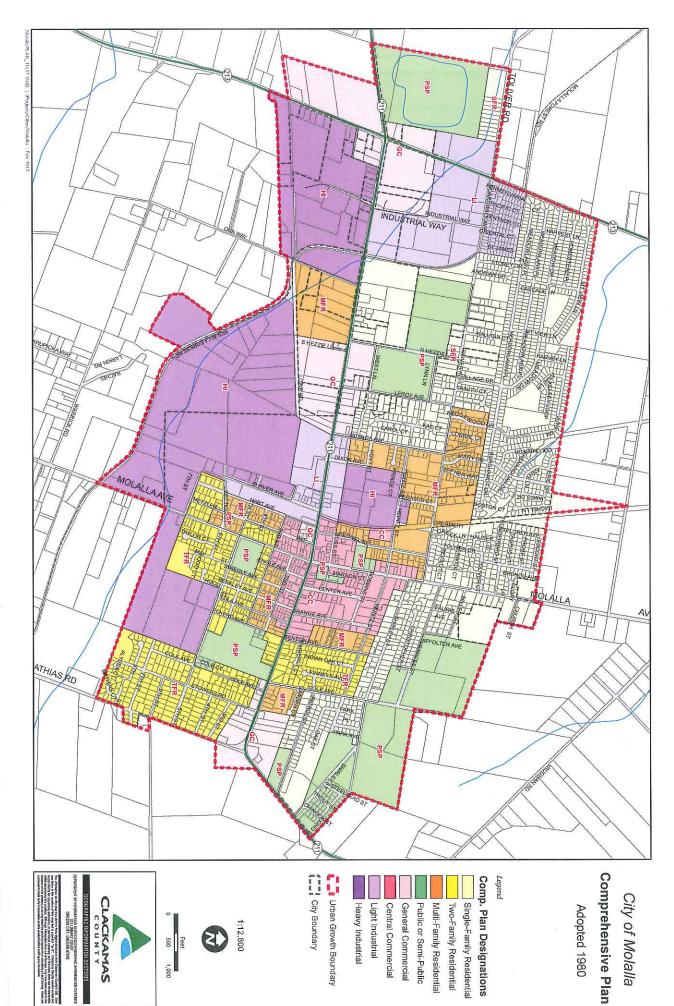
1.57

EXHIBIT A

Ordinance 2014-24 Original Page 12 of 13









#### CITY OF MOLALLA

#### **ORDINANCE No. 2014 - 25**

# AN ORDINANCE ANNEXING ISLAND TERRITORY INTO THE CITY OF MOLALLA, WITHDRAWING THE TERRITORY FROM SPECIAL DISTRICTS, AMENDING THE COMPREHESIVE PLAN AND REZONING PROPERTY.

**WHEREAS**, pursuant to ORS 222.750, the City of Molalla ("City") initiated annexation of territory surrounded by the corporate boundaries of the City (Case File No. P-6-2014);

WHEREAS, the City notified affected property owners and others entitled to notice under the City's code and notified the state of its intent to annex such territory;

WHEREAS, on June 4, 2014, the Molalla Planning Commission held a duly noticed public hearing to consider the annexation of several islands surrounded by the City's corporate boundaries;

WHEREAS, the planning commission recommended the Molalla City Council annex the islands in accordance with the City's code and state law; and

WHEREAS, the city council held a public hearing on July 9, 2014 and decided to annex the islands, withdraw the islands from certain districts, amend the properties' comprehensive plan designations and change the zoning on the properties from county to city zoning.

**NOW, THEREFORE,** the City of Molalla ordains:

**Section 1.** The real properties that are the subject of this ordinance are located in a tract of land being all of that tract of land described in that deed recorded as Document No 2006-119513, Clackamas County Deed records, all of that tract of land described in that deed recorded as Document No, 2003-082940, Clackamas County Deed Records, all of that tract of land described in that deed recorded as Document No. 88-51498, all being a portion of Tract 39 of the Plat of "The Shave Place", located in the Northeast one-quarter of Section 7, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon:

Tax Lot No. 52E07A 02700

Tax Lot No. 52E07A 02601

Tax Lot No. 52E07A 02600

These properties are annexed into the City of Molalla. A meets and bounds legal description, surveyor's map, current Clackamas County Property Report and a time stamped photo of the property are attached and incorporated as Exhibit A.

**Section 2.** The existing Clackamas County comprehensive plan designation, RC (Rural Commercial), is changed to a City plan designation of GC (General Commercial). This change is supported by findings, attached and incorporated as Exhibit B.

**Section 3.** The existing Clackamas County zoning for the affected property, RRFF5 (Rural, Residential, Farm/Forest, 5-acre Minimum Lot Size) and C-2 (Central Commercial) is changed to C-2 (Central Commercial). The properties are currently:

Tax Lot No. 52E07A 02700 Commerical – In Use
Tax Lot No. 52E07A 02601 Commercial – In Use
Tax Lot No. 52E07A 02600 Commercial – In Use

**Section 4.** The territory is withdrawn from the following service/special districts: None noted.

**Section 5.** Lawfully established land uses occurring on or within the annexed territory may continue and will be treated as nonconforming uses after the effective date of annexation to the City.

Section 6. The Molalla City Recorder shall:

- 1. Mail a copy of this ordinance and attachments to the Oregon Department of Revenue;
- 2. Mail a copy of this ordinance to Clackamas County and all affected service districts;
- 3. Mail a copy of this ordinance to the Oregon Department of Land Conservation and Development, together with the appropriate forms required by the department; and
- 4. If the property owner of the annexed territory appeared before the planning commission or city council, mail a notice to the property owner summarizing this ordinance and describing the owner's right to appeal this decision.

Adopted this 9th day of July by the City Coun nays.	cil of the City of Molalla on a vote of _	Molalla on a vote of ayes and	
	Marray Dala state Danas		
	Mayor Deborah Rogge		
Attest this 9th day of July 2014			
City Recorder Sadie Cramer			

#### **ZTec Engineers, Inc.**

Civil ♦ Structural ♦ Surveying

John McL. Middleton, P.E.

Chris C. Fischborn, P.L.S. 3737 SE 8<sup>th</sup> Ave. Portland, OR 97202 503-235-8795

FAX: 503-233-7889 Email: chris@ztecengineers.com Ronald b. Sellards, P.E.

31361, 31459 & 31465 State Highway 213 Annexation to the City of Molalla

#### Exhibit A

A Tract of land being all of that tract of land described in that deed recorded as Document No. 2006-119513, Clackamas County Deed Records, all of that tract of land described in that deed recorded as Document No. 2003-082940, Clackamas County Deed Records, all of that tract of land described in that deed recorded as Document No. 88-51498, Clackamas County Deed Records, and a portion of State Highway 211, and a portion of State Highway 213, all being a portion of Tract 39 of the Plat of "The Shaver Place", located in the Northeast one-quarter of Section 7, Township 5 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon. Said Tract of land being more particularly described as follows:

Beginning at 1/2 inch iron pipe found at the Southwesterly corner of said Tract 39 of said Plat of "The Shaver Place"; thence North 08°00′00" East, along the Westerly line of said Tract 39, a distance of 883.72 feet to the Northwesterly corner of said Document No. 2006-119513 tract; thence South 82°00′00" East, along the Northerly line of said Document No. 2006-119513 tract, a distance of 411.96 feet to a point on the Westerly right of way line of said State Highway 213; thence South 71°36′15" East, at right angles to said State Highway 213, a distance of 60.00 feet to a point on the Easterly right of way line of said State Highway 213; thence South 18°23′45" West, along said Easterly right of way line, and its Southerly extension, a distance of 913.57 feet to a point on the Easterly extension of the Southerly right of way line of said State Highway 211; thence South 79°30′00" West, along said Easterly extension, and along said Southerly right of way line, a distance of 302.73 feet to a point; thence North 10°30′00" West, at right angles to said State Highway 211, a distance of 60.00 feet to a point on the Northerly right of way line of said State Highway 211, said point also being on the Southerly extension of said Westerly line of said Tract 39 of said "The Shaver Place"; thence North 08°00′00" East, along said Southerly extension, a distance of 64.84 feet to the true point of beginning of the Tract of land herein described.

Said Tract of land contains an area of 8.4710 acres (368,995 square feet), more or less.

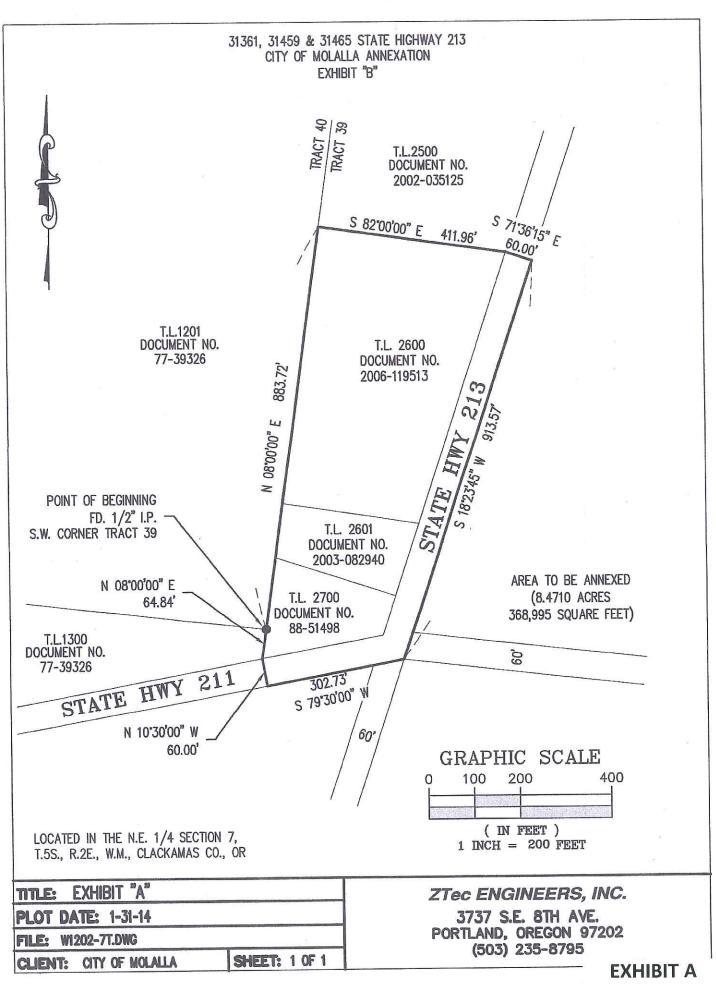
The bearings and distances in this description are based on Clackamas County Surveys 5498 and 11709.

REGISTERED PROFESSIONAL LAND SURVEYOR

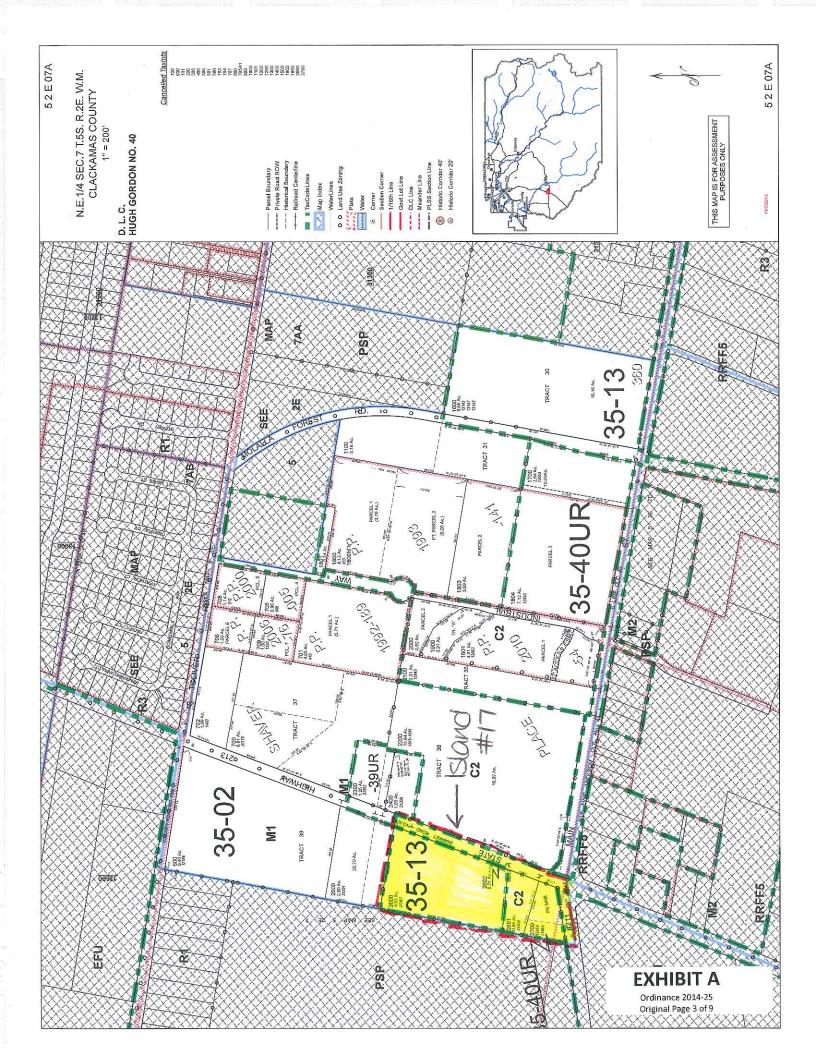
OREGON
JULY 17, 1981
CHRIS FISCHBORN
1944

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#### **Property Report**

DEARDORFF ALAN C **PO BOX 26 COLTON, OR 97017** 

Site Address:

31465 S HWY 213

Taxlot Number:

52E07A 02700

Land Value:

228883

Building Value:

109690

Total Value:

338573

Acreage:

Year Built:

Sale Date:

12/01/1988

Sale Amount:

Sale Type:

Land Class:

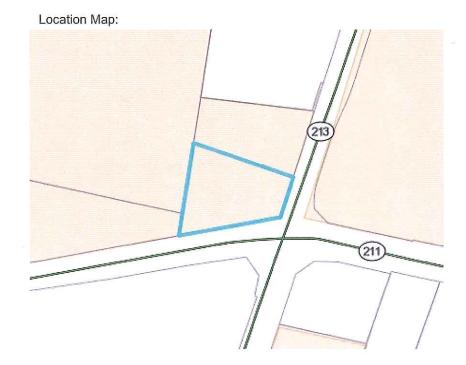
201

**Building Class:** 

Neighborhood:

Area 02 commercial

Taxcode Districts: 035040



Site Characteristics:

UGB:

**MOLALLA** 

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

C2

0.94

Fire

Molalla RFPD #73

Park School

**SCH 35 MOLALLA RIVER** 

Sewer Water

N/A N/A

Cable

Wave Broadband (Molalla)

CPO

Garb/Recyc

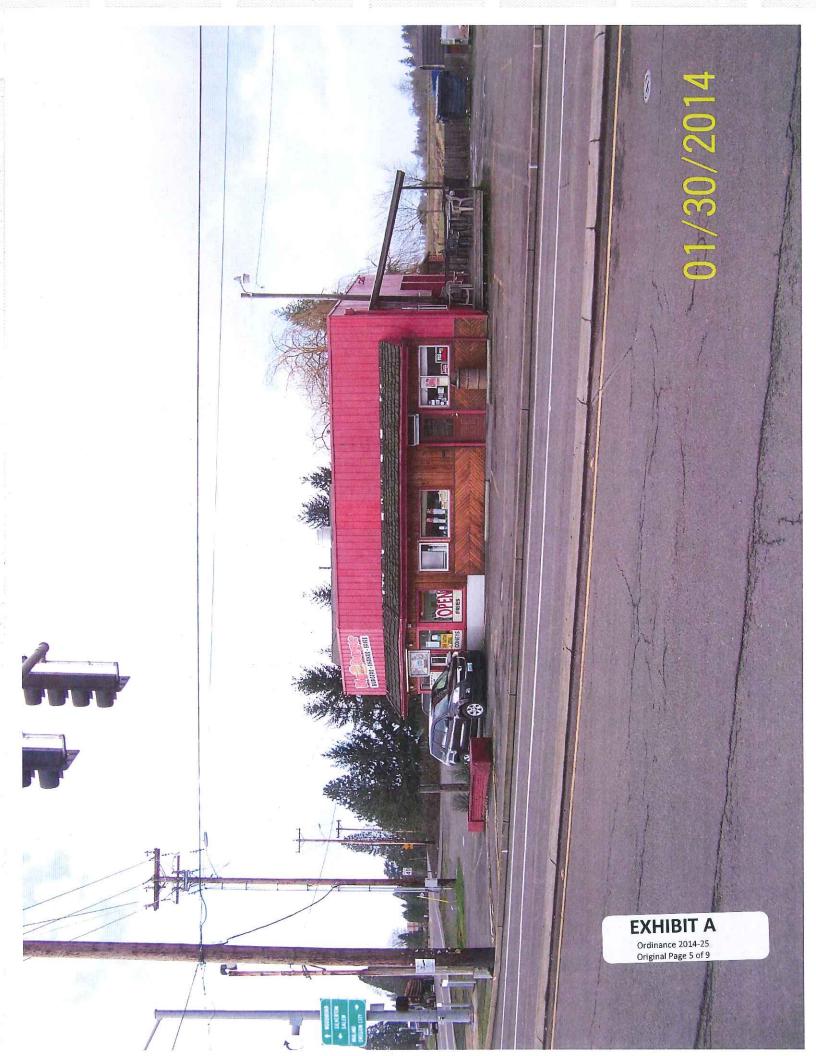
City Molalla Sanitary

City/County

Molalla

**EXHIBIT A** 

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## **Property Report**

HERIGSTAD GORDON 128 SHIRLEY ST MOLALLA, OR 97038

Site Address:

31459 S HWY 213

Taxlot Number:

52E07A 02601

Land Value:

175762

**Building Value:** 

46580

Total Value:

222342

Acreage:

Year Built:

Sale Date:

06/30/2003

Sale Amount:

225000

Sale Type:

S

Land Class:

201

**Building Class:** 

Neighborhood:

Area 02 commercial

Taxcode Districts: 035040

Fire

Molalla RFPD #73

Park

School

**SCH 35 MOLALLA RIVER** 

Sewer

N/A

Water Cable N/A

Wave Broadband (Molalla) City

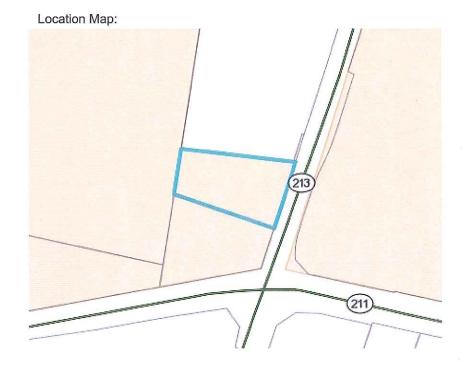
CPO

Garb/Recyc

**Molalla Sanitary** 

City/County

Molalla



Site Characteristics:

UGB:

MOLALLA

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

Acreage:

C2

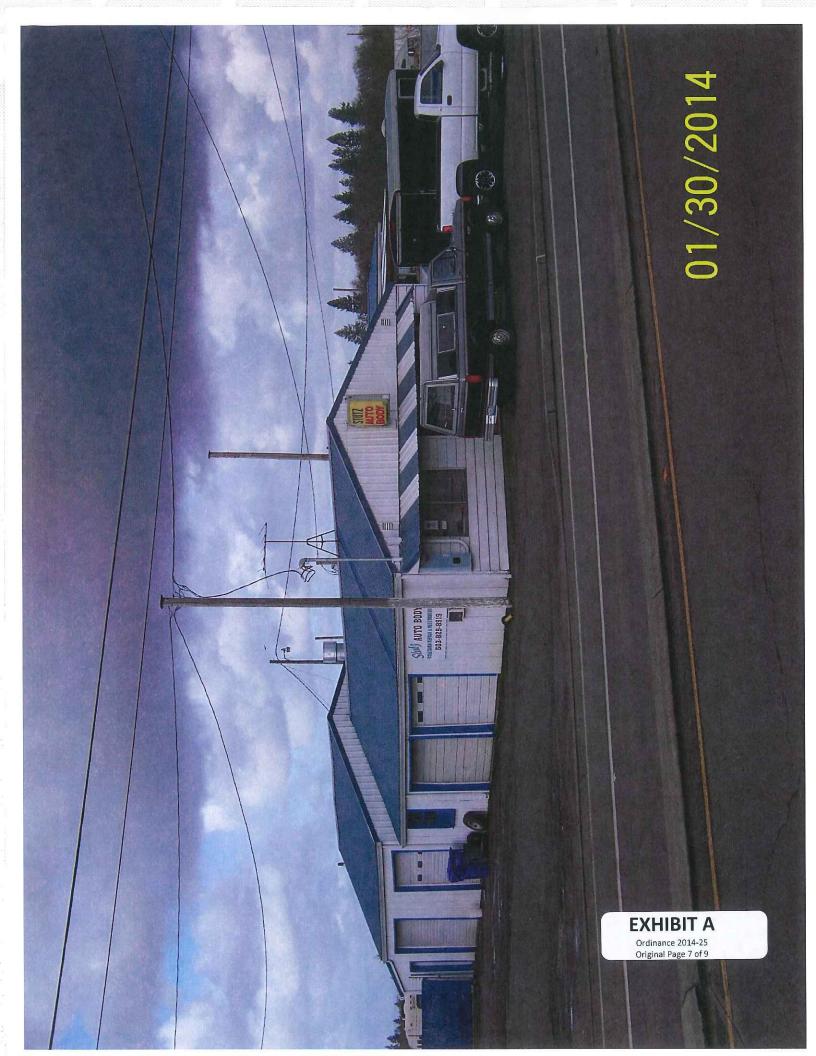
0.87

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This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.

Generated 01/30/2014 11.05 AM





## **Property Report**

LMRK GROUP LLC PO BOX 601 WOODBURN, OR 97071

Site Address:

31361 S HWY 213

Taxlot Number:

52E07A 02600

Land Value:

209917

Building Value:

246040

Total Value:

455957

Acreage:

Year Built:

Sale Date:

12/30/2009

Sale Amount: Sale Type:

0

S

Land Class:

201

**Building Class:** 

Neighborhood:

Area 02 commercial

Taxcode Districts: 035013

Fire

Molalla RFPD #73

Park

School

**SCH 35 MOLALLA RIVER** 

Sewer Water N/A N/A

Cable

Wave Broadband (Molalla) Molalla

CPO

Garb/Recyc

City/County

Molalla Sanitary

Clackamas Co.

Location Map:



Site Characteristics:

UGB:

MOLALLA

Flood Zone:

Not Available

Zoning Designation(s):

Zone

Overlays:

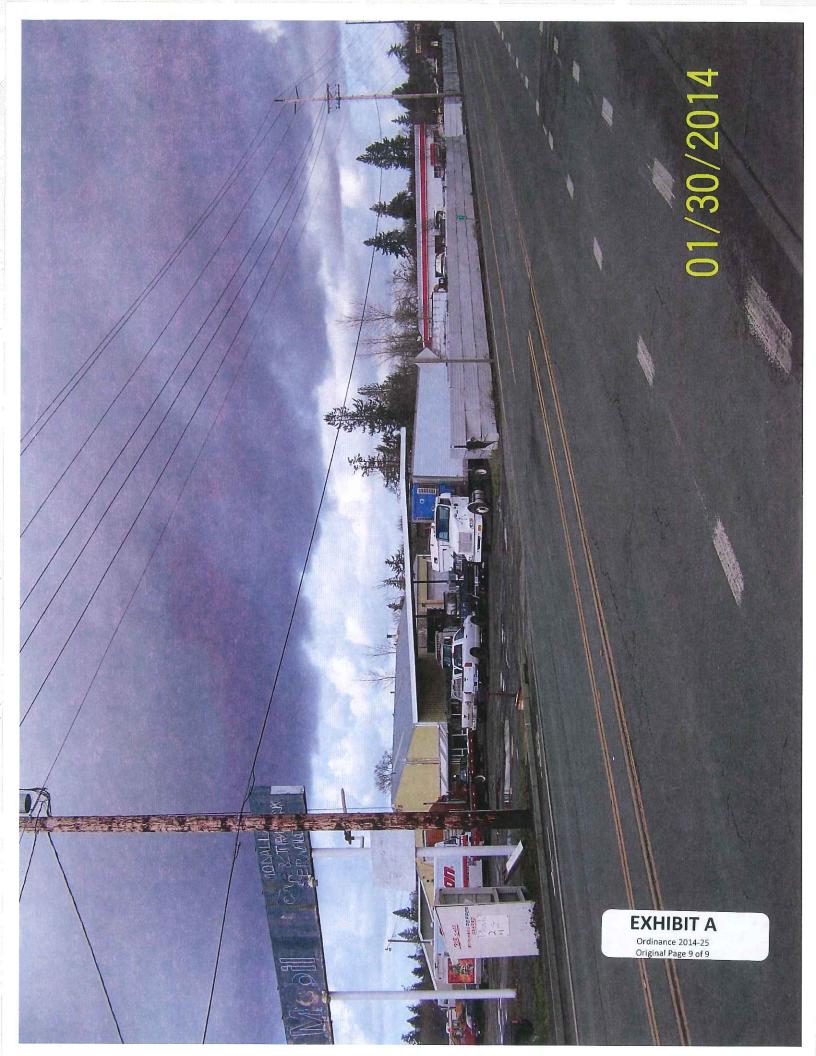
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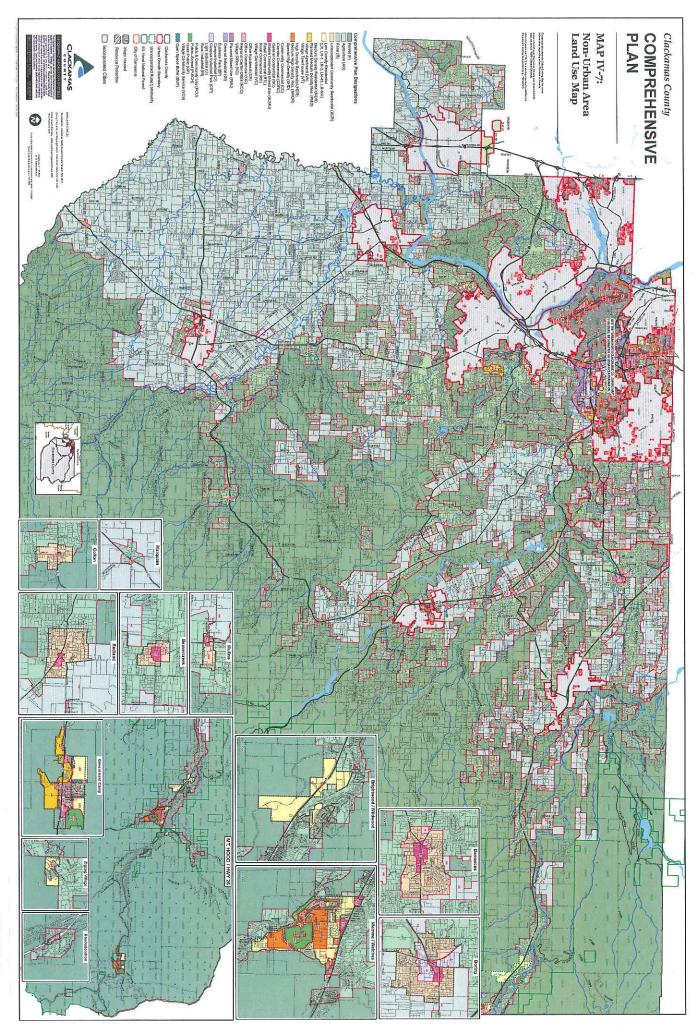
RRFF5

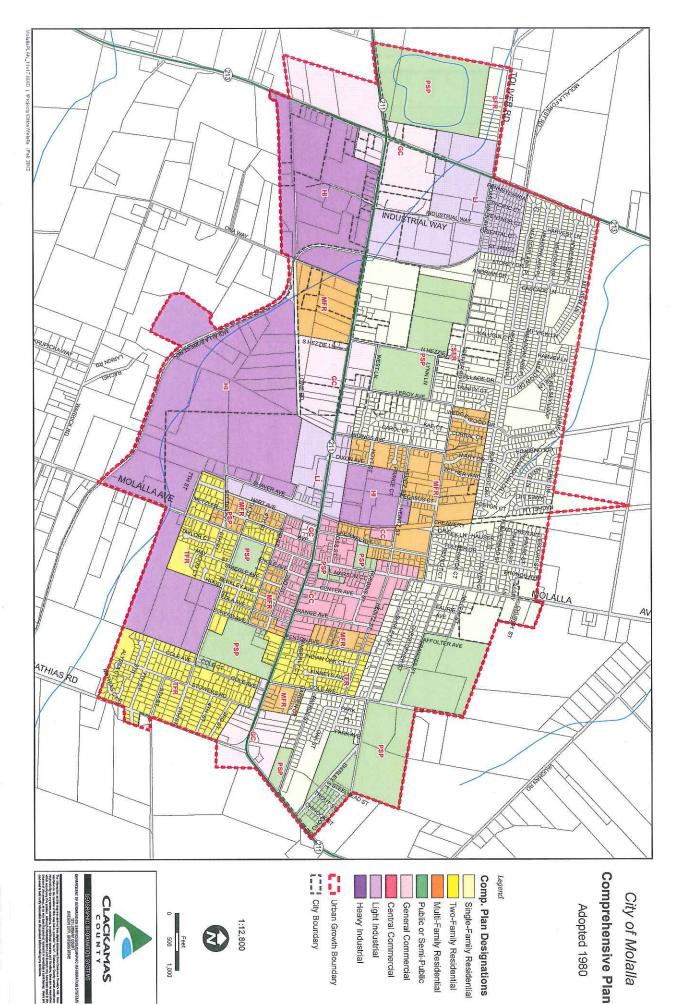
4.85

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#### **ORDINANCE 2014-26**

AN ORDINANCE REPEALING ORDINANCE 2007-06B AN ORDINANCE RELATING TO SEWER UTILITY IN THE CITY OF MOLALLA ESTABLISHING UTILITY LICENSE FEE; DECLARING AN EMERGENCY

Whereas, on September 12, 2007 the Molalla City Council adopted utility franchise fees per Ordinance 2007-06B for Sewer Utility Franchise Fee and;

Whereas, per Oster Professional who is the City of Molalla's auditors have advised the City of Molalla to repeal the above stated ordinances to stay compliant and;

The City of Molalla ordains as follows:

Section 1. **Municipal Public Sewer Utility**. The term "Municipal Public Sewer Utility" as used in this Ordinance shall be construed to mean any individual, partnership, corporation, cooperative, municipal corporation, and all other legal entities installing, owning, operating, or maintaining any sewer system, sewer equipment and appliances in, upon, under, over or along the public streets, alleys, and other public ways within the City of Molalla for the purpose of providing Sanitary Sewer Services to any of the residents of the City or outside the City which sewer is paid for wholly or in part by the users thereof.

Section 2. **Fee Required.** Each Municipal Public Sewer Utility shall pay to the City a right of way use or business license fee as follows: five percent (5%) paid monthly of any and all gross revenues of such public utility received for sewer service within the City for the users thereof. "Gross Revenue" as the term is used herein will include any and all revenues for the providing Sanitary Sewer Services, including any one-time miscellaneous charges.

Section 3. **Payment of Use or License Fee.** Each Municipal Public Sewer Utility shall file with the Finance Director on or before the twentieth (20<sup>th</sup>) day of each calendar month, the monthly fee and statement showing the amount of Gross Revenue of the Municipal Public Sewer Utility for the month immediately preceding the date upon which such statement is required to be filed.

Section 4. Ordinance Does Not Constitute Grant or Franchise. This Ordinance shall not be construed as being a grant or franchise.

Section 5. **Effective Date.** This Ordinance being necessary for the immediate preservation of the public health, safety and welfare, an emergency is declared to exist and this Ordinance shall take effect on July 8, 2014 for compliance purposes.

	Mayor Debbie Rogge
Attest this 8 <sup>th</sup> day of July 2014	
Sadie Cramer, City Recorder	

#### ORDINANCE 2014-27

AN ORDINANCE REPEALING ORDINANCE 2007-07 AN ORDINANCE RELATING TO WATER UTILITY IN THE CITY OF MOLALLA ESTABLISHING UTILITY LICENSE FEE; DECLARING AN EMERGENCY

Whereas, on September 12, 2007 the Molalla City Council adopted utility franchise fees per Ordinance 2007-07 for Water Utility Franchise Fee and;

Whereas, per Oster Professional who is the City of Molalla's auditors have advised the City of Molalla to repeal the above stated ordinances to stay compliant and;

The City of Molalla ordains as follows:

Section 1. **Municipal Public Water Utility**. The term "Municipal Public Water Utility" as used in this Ordinance shall be construed to mean any individual, partnership, corporation, cooperative, municipal corporation, and all other legal entities installing, owning, operating, or maintaining any water system, water equipment and appliances in, upon, under, over or along the public streets, alleys, and other public ways within the City of Molalla for the purpose of providing Sanitary Water Services to any of the residents of the City or outside the City which water is paid for wholly or in part by the users thereof.

Section 2. **Fee Required.** Each Municipal Public Water Utility shall pay to the City a right of way use or business license fee as follows: five percent (5%) paid monthly of any and all gross revenues of such public utility received for water service within the City for the users thereof. "Gross Revenue" as the term is used herein will include any and all revenues for the providing Sanitary Water Services, including any one-time miscellaneous charges.

Section 3. **Payment of Use or License Fee.** Each Municipal Public Water Utility shall file with the Finance Director on or before the twentieth (20<sup>th</sup>) day of each calendar month, the monthly fee and statement showing the amount of Gross Revenue of the Municipal Public Water Utility for the month immediately preceding the date upon which such statement is required to be filed.

Section 4. Ordinance Does Not Constitute Grant or Franchise. This Ordinance shall not be construed as being a grant or franchise.

Section 5. **Effective Date.** This Ordinance being necessary for the immediate preservation of the public health, safety and welfare, an emergency is declared to exist and this Ordinance shall take effect on July 8, 2014 for compliance purposes.

	Mayor Debbie Rogge
Attest this 8 <sup>th</sup> day of July 2014	
Sadie Cramer, City Recorder	

#### **ORDINANCE 2014-28**

AN ORDINANCE REPEALING ORDINANCE 2007-08 AN ORDINANCE RELATING TO STORM STORM WATER UTILITY IN THE CITY OF MOLALLA ESTABLISHING UTILITY LICENSE FEE; DECLARING AN EMERGENCY

Whereas, on September 12, 2007 the Molalla City Council adopted utility franchise fees per Ordinance 2007-08 for Storm water Utility Franchise Fee and;

Whereas, per Oster Professional who is the City of Molalla's auditors have advised the City of Molalla to repeal the above stated ordinances to stay compliant and;

The City of Molalla ordains as follows:

Section 1. **Municipal Public Storm water Utility**. The term "Municipal Public Storm water Utility" as used in this Ordinance shall be construed to mean any individual, partnership, corporation, cooperative, municipal corporation, and all other legal entities installing, owning, operating, or maintaining any storm water system, storm water equipment and appliances in, upon, under, over or along the public streets, alleys, and other public ways within the City of Molalla for the purpose of providing Sanitary Storm water Services to any of the residents of the City or outside the City which storm water is paid for wholly or in part by the users thereof.

Section 2. **Fee Required.** Each Municipal Public Storm water Utility shall pay to the City a right of way use or business license fee as follows: five percent (5%) paid monthly of any and all gross revenues of such public utility received for storm water service within the City for the users thereof. "Gross Revenue" as the term is used herein will include any and all revenues for the providing Sanitary Storm water Services, including any one-time miscellaneous charges.

Section 3. **Payment of Use or License Fee.** Each Municipal Public Storm water Utility shall file with the Finance Director on or before the twentieth (20<sup>th</sup>) day of each calendar month, the monthly fee and statement showing the amount of Gross Revenue of the Municipal Public Storm water Utility for the month immediately preceding the date upon which such statement is required to be filed.

Section 4. Ordinance Does Not Constitute Grant or Franchise. This Ordinance shall not be construed as being a grant or franchise.

Section 5. **Effective Date.** This Ordinance being necessary for the immediate preservation of the public health, safety and welfare, an emergency is declared to exist and this Ordinance shall take effect on July 8, 2014 for compliance purposes.

	Mayor Debbie Rogge
Attest this 8 <sup>th</sup> day of July 2014	
Sadie Cramer, City Recorder	