

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE ADOPTING A FINAL) ORDINANCE NO. 89-318
ORDER AND AMENDING THE METRO URBAN)
GROWTH BOUNDARY FOR CONTESTED CASE)
NO. 88-3: ST. FRANCIS)

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY
ORDAINS:

Section 1. The Council of the Metropolitan Service District hereby accepts and adopts as the Final Order in Contested Case Number 88-3 the Hearings Officer's Report and Recommendations in Exhibit B of this Ordinance, which is incorporated by this reference.

Section 2. The District Urban Growth Boundary, as adopted by Ordinance Number 79-77, is hereby amended as shown in Exhibit A of this Ordinance, which is incorporated by this reference.

Section 3. Parties to Contested Case Number 88-3 may appeal this Ordinance under Metro Code Section 2.05.050 and ORS Chapter 197.

ADOPTED by the Council of the Metropolitan Service District
this 9th day of November, 1989.


Mike Ragsdale, Presiding Officer

ATTEST:


Clerk of the Council

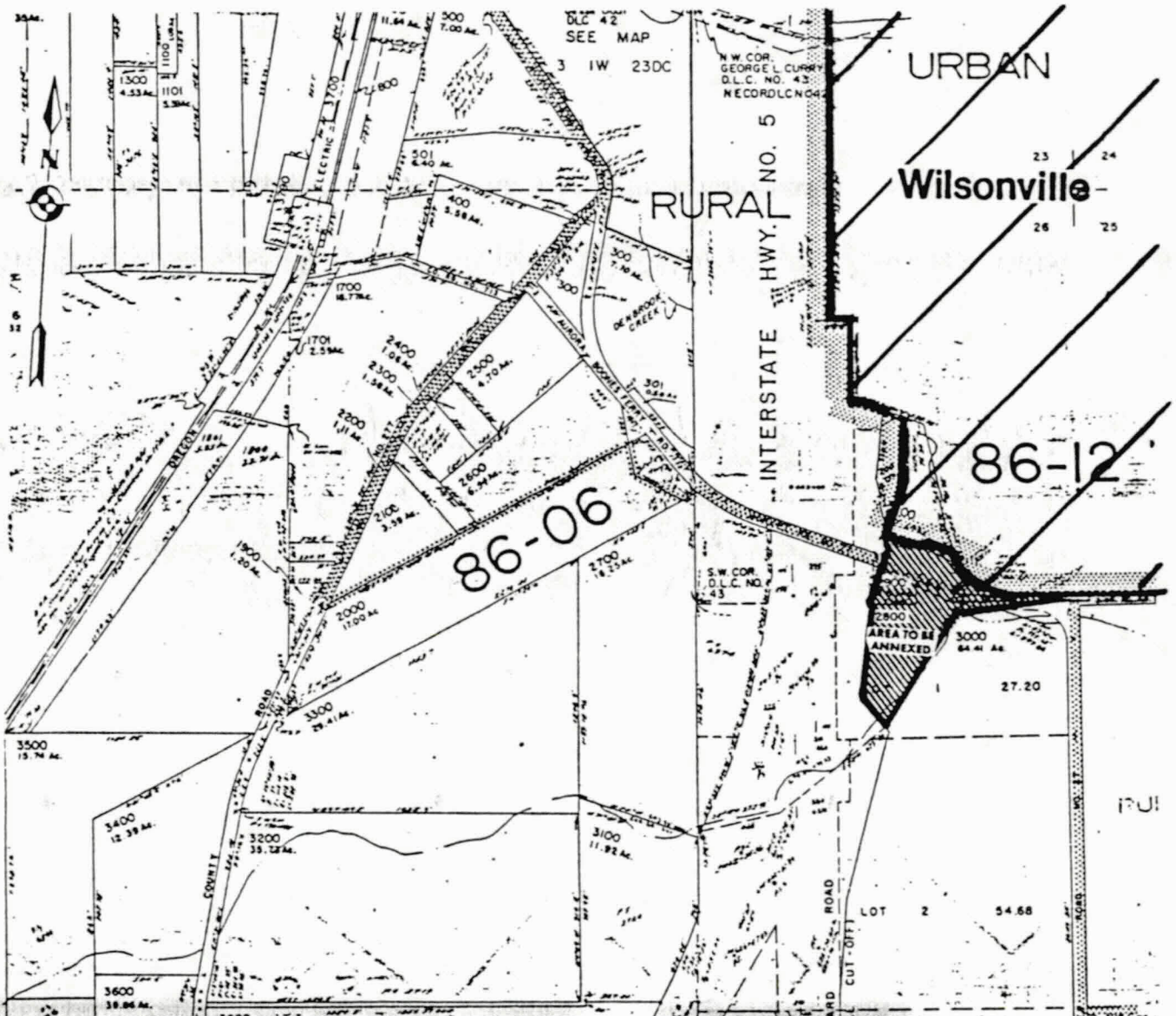
ES/es
10/3/89

PROPOSAL NO. 2606

SECTION 26 T3S R1W W.M.
Clackamas County

3 1W 26

Scale: 1" = 800'



PROPOSAL No. 2606
CITY OF WILSONVILLE
ANNEXATION
FIGURE 2

Modified 4/6/89

LEGAL DESCRIPTION
ANNEXATION TO
City of Wilsonville

A parcel of land lying in the George L. Curry D.L.C. No. 43,
Township 3 South, Range 1 West, W.M., Clackamas County, Oregon,

Beginning at a point, which is an Iron Pin 30 feet left of Engineer's centerline Station "E" 34+50 Miley Road, said point being N35°17' 45" E 3,204.38 feet from the southeast corner of the Jesse V. Boone D.L.C. No. 42, Township 3 South, Range 1 West, W.M.; thence South 88°07' 14" West 481.07 feet to a point, said point being the intersection of the south Right of Way of Miley Road and the east line of the St. Francis of Assisi Church property; thence South 34°44' 39" West 707.76 feet along said east line of St. Francis Church property to an intersection with the east Right of Way of Interstate Highway No. 5; thence North 39°03' 22" West 166.45 feet along said Right of Way to an Iron Pin which is 350 feet left of centerline Station "SB" 613+80; thence North 7°44' 51" East 465.95 feet to an Iron Pin which is 370 feet left of centerline Station "SB" 609+50; thence North 21°18' 16" East 301.16 feet to an Iron Pin which is 470 feet left of centerline Station 606+73.97; thence North 10°40' 01" West 44.43 feet to an Iron Pin which is the intersection of the east Right of Way line of Interstate Highway No. 5 and the North Right of Way of Miley Road; thence South 63°58' 14" East 158.35 feet along said Miley Road Right of Way to an Iron Pin which is 75 feet left of centerline Station 27+00; thence North 80°26' 33" East 59.66 feet to an Iron Pin which is 110 feet left of centerline Station 27+50; thence South 62°47' 20" East 140.41 feet to an Iron Pin which is 100 feet left of center line Station 28 + 96.15; thence South 84°29' 36" East 121.73 feet to an Iron Pin which is 130 feet left of centerline Station 30+21.71; thence South 77°07' 16" East 289.62 feet to an Iron Pin which is 140 feet left of centerline Station 33+21.71; thence South 39°02' 41" East 151.70 feet to the Point of Beginning.

An area which contains 7.69 Acres.

BEFORE A HEARINGS OFFICER OF THE
METROPOLITAN SERVICE DISTRICT

In the matter of the petition of)	<u>Contested Case No. 88-03</u>
St. Francis of Assisi Episcopal Church)	(St. Francis)
to amend the Urban Growth Boundary)	REPORT & RECOMMENDATION
south of Wilsonville in Clackamas County)	OF THE HEARINGS OFFICER

I. Summary

A. Summary of basic findings.

1. The Reverend Thomas Cummins for St. Francis of Assisi Episcopal Church, (petitioner), petitions to add about 4 acres (the Subject Property) to the Urban Growth Boundary (UGB) as a locational adjustment as provided in Metro Code Section 3.01.
2. The Subject Property adjoins the south side of Miley Road and the east side of Interstate-5. It is designated Agricultural on the Clackamas County comprehensive plan map and is zoned GAD (General Agricultural District). The site is separated from the city limits of Wilsonville by Miley Road. If the adjustment is approved, Petitioner plans to annex the Subject Property to Wilsonville, but no other change is reasonably foreseeable.
3. The Subject Property is developed with a small, historic schoolhouse, a larger church, parking and vehicle maneuvering, and landscaping. The church was authorized by a conditional use permit issued by Clackamas County in June, 1982. The County also authorized improvements in February 1983, August 1986, and January 1988. Planned construction largely is completed. In addition to being used for religious worship and instruction, the Subject Property is used for social services for the Wilsonville community.
4. To the north, across Miley Road, is the city limits of Wilsonville and the southern edge of the Charbonneau residential community. To the west is Interstate-5. To the south and east is farmland. The east and south edges of the property are steeply sloped and form the bank of a creek that physically isolates the Subject Property from the farmland. If the Subject Property is annexed to Wilsonville, the steep slopes and creek are likely to be designated as Open Space and development there prohibited or restricted.
5. The Subject Property is served by a public sewer from Wilsonville. It has an approved community water system and an underground reservoir for fire fighting. The Petitioner plans to connect to the Wilsonville public water system when the land north of Miley Road is developed. That system can accommodate the extension. Traffic from the Subject Property would use Miley Road, a rural public street adjoining ramps for the interstate. There is no public storm sewer in the vicinity. Storm water drains into the creek adjoining the property.

6. The Subject Property now is served by the Aurora Rural Fire District. If it is annexed, it will be served by the Tualatin Fire Protection District. The Subject Property is roughly equidistant from the nearest station of both districts. Miley Road divides the two districts, but each has a mutual aid agreement with the other to respond when needed across Miley Road or along Interstate-5 and has responded accordingly in the past.

7. The Aurora Rural Fire District requested the hearing be postponed 30 days, because District officials were not informed about the petition until the day of the hearing. The District Chief appeared at the hearing. He testified that annexation of the Subject property to the City, following granting of the UGB petition, will change fire district responsibility. He believed that could result in confusion for the districts and emergency service dispatchers, because the Subject Property would be the only one south of Miley Road served by the Tualatin District. He was concerned that dispatchers could be confused about which district to dispatch to the site or along Interstate-5 nearby or could take more time to do so than now.

8. The Tualatin Fire Protection District, City of Wilsonville, Oregon Department of Transportation, and Canby Elementary School District filed written comments recommending approval of the petition. The Canby High School District filed a conditional recommendation for approval. Clackamas County filed a statement of "no objection" to the petition, concluding that granting the petition would not affect UGB designations of nearby rural residential or agricultural lands.

B. Summary of issues, arguments, and hearings officer conclusions.

The petition presents several issues that were disputed during the roughly 1-1/2 hour public hearing in this matter held on November 16, 1988, in the Wilsonville City Hall. The first two issues are procedural; the last 3 are substantive.

1. The first issue is whether the hearings officer should have continued the hearing as requested by the Aurora Rural Fire District. The District is not entitled to notice by Metro rules, although Metro staff planned to publish notice of the hearing in a weekly community newspaper a week before the hearing. District officials did not receive notice until the day of the hearing, in part, due to the later-than-expected publication of the notice in the community newspaper. The petition could lead to a change in District responsibility if the Subject Property is annexed later as planned. However the District appeared at the hearing. Its representative testified fully about the only issue of concern to the District. The hearings officer concluded a continuance was not necessary after that testimony, but kept the record open one week for written testimony from the District. None was filed.

2. The second issue is whether the petition can be amended by Metro staff to include that portion of Miley Road adjoining the Subject Property. The UGB and city limits of Wilsonville follow the north edge of the Miley Road right of way. The petition as submitted applies only to petitioner's land, and not Miley Road. However, if the petition is approved without including Miley Road, the Subject Property would be an island of urban land surrounding by non-urban land. Such a result is prohibited by Metro rules; therefore, unless the petition is amended to include a portion of Miley Road, it must be denied. Metro Staff recommended that the petition be amended to include that portion of Miley Road adjoining the site. The hearings officer approved the amendment to allow approval of the petition without creating an island.

3. A third issue is whether granting the petition would result in any improvement in the efficiency of public services. If the Subject Property is annexed, it can connect to the public water system being developed across Miley Road to the north, slightly increasing the efficiency of capital facilities for that system by using planned capacity. Adding the subject property will not affect the efficiency of other services. The hearings officer concluded that, while the increased efficiency is small, so is the parcel, and the addition is warranted more based on other criteria. Weighing responses to all the approval standards, the hearings officer concluded the small increase in efficiency was enough in this case, due largely to the unique character of the site and its historical and existing use.

4. A fourth issue is whether granting the petition has relevant social consequences. Granting the petition will not result in a material change in the Subject Property, but it will enable the church to cement its association as the Episcopal parish for Wilsonville. This will enable it to continue to serve that community and to increase those services with increased land use stability. The hearings officer concluded the social services provided by the church would be more likely to continue and expand if the petition is approved.

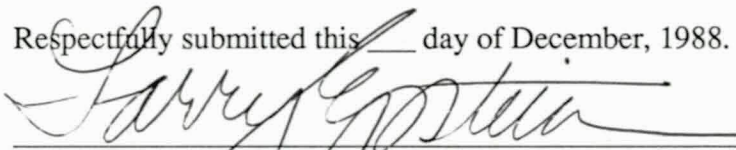
5. The final issue identified by the hearings officer is whether granting the petition complies with a recent amendment to Metro rules regarding amendments involving small areas of land designated for farm use but developed for other purposes. The hearings officer concluded that approving the petition complied with Metro rules addressing Statewide Goal 3 (Agriculture), because the Subject Property is not used for rural residences or one of a number of other uses prohibited by those rules, the Subject Property was created before farmland zoning applied to it, and structures have been built on more than 50% of the Subject Property consistent with applicable land use laws at the time they were built.

Several witnesses argued granting the petition should not be construed to justify changing nearby agricultural and rural residential land. The hearings officer concluded the unique characteristics of the use of the property and its physical isolation by steep slopes and Interstate-5 make it highly unlikely that granting the petition will affect the UGB designation of nearby land or prompt or justify amending the UGB to include nearby non-urban land.

II. Ultimate Conclusion and Recommendation

For the foregoing reasons, the hearings officer concludes this petition does comply with the approval standards for a locational adjustment to the UGB. Therefore the Hearings Officer therefore recommends that the Metro Council grant the petition, based on this Report and Recommendation and the Final Order attached hereto.

Respectfully submitted this ___ day of December, 1988.



Larry Epstein, Hearings Officer

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

In the matter of the petition of)	<u>Contested Case No. 88-03</u>
St. Francis of Assisi Episcopal Church)	(St. Francis)
to amend the Urban Growth Boundary)	PROPOSED
south of Wilsonville in Clackamas County)	FINAL ORDER

I. Procedure and Record

A. History and Proceedings.

1. On or about July 22, 1988, The Reverend Thomas Cummins for St. Francis of Assisi Episcopal Church (petitioner) filed a petition for a locational adjustment to add about 4 acres to the UGB. See Exhibits 10 and 16.

2. On or before November 6, the hearings officer mailed notices of a hearing to consider the petition by certified mail to the owners of property within 250 feet of the Subject Property, to the petitioner, to Clackamas County, and to the City of Wilsonville. The certificates of mailing are included as Exhibit 3. A notice of the hearing also was published in *The Oregonian* at least 10 days before the hearing. A notice of the hearing also was published in the *Canby Herald* on or about November 16.

3. On November 16, 1988, the hearings officer held a public hearing at the Wilsonville City Hall to consider the petition. Six witnesses testified in person or writing.

4. At the close of the November 16 hearing, the hearings officer left the record open for 1 week for the Aurora Rural Fire Protection District to submit additional written evidence or testimony and for Clackamas County officials to submit a written statement regarding the petition. The hearings officer received the County's written statement on November 17. The fire district did not submit additional testimony.

5. On December __, 1988, the hearings officer filed with the Council a report, recommendation, and draft final order granting the petition for the reasons provided therein. Copies of the report and recommendation were timely mailed to parties of record together with an explanation of rights to file exceptions thereto and notice of the Council hearing to consider the matter. Timely exceptions were filed with the Council by _____.

6. On January __, 1989, the Council held a duly noticed public hearing to consider testimony and timely exceptions to the report and recommendation. After considering the testimony and discussion, the Council voted to grant the petition for Contested Case No. 88-03 (St. Francis), based on the findings in this final order and the report and recommendation of the hearings officer in this matter.

B. Written record.

The following documents either are part of Metro's public file in this matter or were introduced at the public hearing on November 16 or pursuant to the hearings officer ruling regarding late evidence:

<u>Exhibit No.</u>	<u>Subject matter</u>
1	Tax Assessor Map, Sec. 26, T3S- R1W, WM, Clackamas County
2	Notice of public hearing and attached maps
3	Certificates of mailing of public notices
4	List of property owners
5	Memorandum dated Oct. 21, 1988 from Ethan Seltzer to hearings officer
6	Memorandum dated Oct. 21, 1988 from Ethan Seltzer to File 88-3
7	Memorandum dated Oct. 14, 1988 from Jim Gardner to Metro Council
8	Letter dated July 8, 1988 from Jill Hinkley to The Rev. Thom. Cummins
9	Check for completeness
10	Letter dated July 20, 1988 from The Rev. Thom. Cummins to Jill Hinkley
11	Comment from Wilsonville dated July 19 and Wilsonville Resolution 672
12	Comment from Tualatin Rural Fire Protection District dated July 20, 1988
13	Comment from Oregon Dept. of Transportation dated July 20, 1988
14	Comment from Canby Union High School District #1 dated July 19, 1988
15	Comment from Canby Elementary School District #86 dated July 19, 1988
16	Petition for locational adjustment
17	Clackamas County design review staff report dated Feb. 9, 1983
18	Clackamas County notice of plan review dated Feb. 23, 1983
19	PMALGBC final order & report for Proposal W-304 dated April 21, 1983
20	Letter dated Apr. 19, 1982 from The Rev. Thom. Cummins to Wm. Lowrie
21	Final Order dated June 17, 1982 regarding Clackamas County file 913-81-C
22	Memorandum dated Aug. 4, 1982 from Robt. Martin regarding church
23	PMALGBC Petition for annexation dated July 21, 1988
24	Notice of decision for Clackamas County file 59-86-V dated Aug. 4, 1986
25	Letter from Larry Kato (Clackamas Cty) to hearings officer dated Nov. 17
26	Letter from Aurora Fire District to Metro Service District dated Nov. 16
27	Letter from A. Wagoner & S. Thompson to hearings officer dated Nov. 16
28	Letter from Anna Wagoner to Ethan Seltzer dated Nov. 16

C. Responses from service providers and affected jurisdictions.

1. The Tualatin Fire Protection District, City of Wilsonville, Oregon Dept. of Transportation, and Canby Elementary and High School Districts recommend approval of the petition. The High School District qualified its response to support to say the change should alter school district boundaries. Clackamas County officials filed a written statement of no objection regarding the petition.

2. The Aurora Rural Fire District recommended the hearing be continued to enable the district to evaluate the petition more. The District Chief testified against the petition at the hearing, arguing approval of the petition would cause confusion about which district should respond to calls for assistance on and near the Subject Property.

II. Basic Findings About the Subject Property and Surrounding Area

A. Location.

1. The land to be added, (the Subject Property), is situated east of and adjoining the Interstate 5 highway and south of and adjoining Miley Road in Clackamas County. It is separated from the city limits of Wilsonville and the UGB by Miley Road.

2. Metro staff amended the petition to include a portion of Miley Road in the petition so that the Subject Property would be contiguous to the UGB and city limits, if the petition is approved. See Exhibit 2 for a map showing the Subject Property.

B. Legal description.

The Subject Property is Tax Lots 2800 and 2900, Sec. 26, T3S-R1W, WM, Clackamas County, and the Miley Road right of way bounded by Interstate 5 and by the northward extension of the east property line of the Subject Property.

C. Size, shape, and physical characteristics.

1. The Subject Property is an irregularly-shaped parcel about 200 to 500 feet wide (east-west) and about 700 feet deep (north-south). It contains about 4 acres including the adjoining Miley Road right of way.

2. The Subject Property consists generally of Willamette silt loam soils with slopes of 3 to 8 percent. But the east and south edges of the site are sloped more than 15%, and end along a creek situated 40 feet or more below the developable area of the site. These steep slopes are heavily vegetated. If annexed to the City of Wilsonville, steep creekside slopes on the Subject Property will be designated as open space and protected from development. The remainder of the site contains a mix of landscaping and natural vegetation around developed areas.

D. Plan designation & zoning.

The Subject Property and adjoining land to the east, south, and west are designated Agricultural on the Clackamas County comprehensive plan map and are zoned GAD (General Agricultural District). Property to the north, across Miley Road is designated Residential and zoned Planned Development Residential on the City of Wilsonville comprehensive plan and zoning maps.

E. Existing and proposed uses.

1. The Subject Property is developed with a church, an historic schoolhouse, and a parking lot and associated vehicle maneuvering area. The Subject Property contains the only Episcopal church in the Wilsonville area. In addition to being used for religious worship and instruction, the Subject Property is used for a variety of social services for the Wilsonville community. For instance, the church parking lot is used as a Tri-Met park and ride lot; the parish hall accommodates meetings of Alcoholics Anonymous for the Wilsonville area; and several political and social service groups meet in the church. It therefore provides a center for social services in the Wilsonville area. A site for similar services is not located conveniently nearby.

2. Existing use and development was reviewed and approved by Clackamas County. In 1982, the County approved a conditional use permit (file 913-81-C) to allow use of the existing building on the site for a church and accessory uses. In 1983, the County approved a design review plan (file 613-82-D, phase I) and a building permit (plan check file C-5111-83) authorizing development of a church building. In 1986, the County approved a variance (file 59-86-V) allowing relocation of an existing building to within 5 feet of a rear property line. In 1988, the County approved a design review plan for expansion of the church building and accessory facilities (file 613-82-D, phase II). See Exhibits 17, 18, 21 and 24. While nonfarm use of land in the GAD district generally is not allowed, because it is an exclusive farm use zone, ORS 215.213(1)(b) allows a church in such a zone, and Clackamas County land use regulations allow a church in the GAD zone as a conditional use.

3. The majority of the developable area of the site is built on, and no further development is planned on the Subject Property, except connection to the public water system, whether or not the petition is granted. If the locational adjustment is approved, the petitioner plans to annex to Wilsonville. A petition for annexation has been approved by the city and forwarded to the Portland Metropolitan Area Local Government Boundary Commission for appropriate action (see Exhibit 23).

F. Surrounding uses.

The 58 acre parcel south and east of the Subject Property is used for agriculture. The adjoining land to the west is the I-5 freeway. Adjoining property to the north, across Miley Road, is to be developed for residential purposes as a part of the Charbonneau development to be known as Spring Ridge.

G. Public services and facilities.

1. Sewer. The Subject Property is served by a public sewer which extends north-south along the west edge of the church property between the Wilsonville sewer treatment plant and a "rest stop" about a quarter-mile south along I-5. The sewer system plant has unused capacity of about 50 percent. Extraterritorial sewer service to the church was authorized in 1983 by the PMALGBC (see Exhibit 19), and connection was made in 1988.

2. Water. The existing church is served by a private well which is approved as a community water system (see Exhibit 19), including an on-site underground reservoir. The nearest public water line is situated about 1/2-mile north of the Subject Property at the intersection of I-5 and the ramp to Charbonneau. The petitioner plans to connect to the public water system when the land to the north across Miley Road is developed. Development of the land across Miley Road to the north will include a looped water system that has capacity for service to the Subject Property.

3. Storm drainage. The Subject Property is not served by an improved public storm water drainage system, other than roadside ditches and the adjoining creek. Storm water drains generally from the Subject Property to the creek to the east and south.

4. Transportation. The Subject Property abuts Miley Road, a rural public street with a 20-foot wide paved surface between gravel shoulders. It adjoins Exit 282B from I-5; the exit ramp is north-northwest of the Subject Property. It is not within 1/4-mile of a regional transit corridor designated by Metro, although the Subject Property does contain a park and ride lot and is served by Tri-Met.

5. Fire protection. The Subject Property is in the Aurora Rural Fire Protection District, and now receives service from that district. If the property is annexed following approval of the UGB petition, then it will be served by the Tualatin Fire Protection District. The Subject Site is roughly equidistant between the nearest stations of the two districts, and either district is likely to provide roughly the same degree of protection and about the same response times to the Subject Property, although response time for the Tualatin District may be somewhat quicker via Interstate-5. An on-site underground reservoir provides adequate water for fire fighting purposes, and can augment public water supplies after the Subject Property is annexed to Wilsonville and connects to its water system.

6. Schools. The Subject Property is in Canby High School District #1 and Elementary School District #86. Granting the petition would not affect school services, because the site is not used for a residential purpose. No change in school district boundaries are planned or reasonably expected as a result of granting the petition.

III. Applicable Approval Standards

A. Background.

1. The UGB is intended to accommodate urban growth through the year 2000. But changes can be made in either of two ways. One method involves Major Amendments, which generally results in a change of more than 50 acres in the UGB. To obtain approval of a Major Amendment, a petitioner generally must show the change complies with all Statewide Planning Goals and fills a regional need for urban land, among other standards.

2. The other way to change the UGB is called a locational adjustment. Metro Ordinance No. 81-105, codified in Metro Code Chapter 3.01, provides that a locational adjustment may be warranted where a patent mistake was made when the UGB was drawn, where the addition uniquely facilitates development of land already in the UGB, where the addition of two acres or less would make the UGB coterminous with property lines, or where other conditions warrant the addition based on standards in that ordinance. The need for more land in the urban area is not relevant to a request for a locational adjustment.

b. A locational adjustment cannot add more than 50 acres of land to the UGB. To prevent contiguous, incremental amendments from exceeding the 50 acre maximum, a locational adjustment cannot add more than 50 acres including all similarly situated land.

c. It is assumed that a change of 50 acres or less in the region would not have a perceptible effect on the efficiency of major public facilities, considering the population base and area for which major public facilities are designed. However all land in the UGB is intended to be developed for urban uses. If 50 acres is added to one part of the UGB, it is assumed it would supplant development of a comparable size area or combination of areas elsewhere in the UGB. This could affect the efficiency of public services and increase energy consumption and air pollution associated with travel in the region. That is, there would be costs and potential service inefficiencies because public facilities would be available to serve land in the UGB that would not be developed because other land is added to the UGB and developed instead, and there would be costs to serve the land that is added.

d. To ensure the effect of adding land to the UGB is warranted despite the potential service inefficiencies elsewhere in the region, Ordinance 81-105 requires Metro to consider whether the addition of a given area to the UGB would increase the efficiency of

public services and facilitate development inside the existing UGB. If so, then the benefit from adding the land can outweigh the cost that may accrue from not developing a comparable area or areas inside the UGB.

e. The larger the size of the area to be added, then the greater the cost that may accrue from not developing a comparable area or areas inside the UGB. The cost of leaving a 10 acre or smaller parcel inside the UGB vacant is so small that it is not significant if, as a result of adding a comparable size area to the UGB, any benefit accrues to land in the UGB abutting the land to be added. For locational adjustments involving more than 10 acres, a net benefit should result to the area inside the UGB. The larger the area involved, the greater the benefit required.

f. Statewide Planning Goal 3 (Agriculture) is intended to protect agricultural land. The UGB is one way to fulfill that goal by clearly delineating urban and nonurban areas. The locational adjustment standards reflect this priority by allowing agricultural land to be included in the UGB only under very limited circumstances.

g. In 1988, the Metro Council amended the rules for locational adjustments to allow the addition of 10 acres or less of agricultural land if the land was developed for certain nonagricultural uses before exclusive farm use zoning was applied, among other standards. That amendment was adopted with the Subject Property in mind. The Subject Property did not qualify for a UGB adjustment before the rules were amended, because it is classified as farmland, notwithstanding its historic use for nonfarm purposes. Under prior rules, the only way the Subject Property could be included in the UGB is if the County granted a plan map amendment to a nonfarm designation and granted an exception to Goal 3 (Agriculture). The amendment to the locational adjustment rules allows land designated as farmland to be included in the UGB under very strict conditions, but without taking an exception to Goal 3 or obtaining a plan map amendment.

B. Locational adjustment standards. The standards for addition of land to the UGB, contained in Metro Code Section 3.01.040, are as follows:

(a) As required by subsections (b) through (d) of this section, location adjustments shall be consistent with the following factors:

(1) Orderly and economic provisions of public facilities and services. A locational adjustment shall result in a net improvement in the efficiency of public facilities and services, including but not limited to, water, sewerage, storm drainage, transportation, fire protection and school in the adjoining areas within the UGB; and any area to be added must be capable of being served in a n orderly and economical fashion.

(2) Maximum efficiency of land uses. Considerations shall include existing development densities on the area included within the amendment, and whether the amendment would facilitate needed development on adjacent existing urban land.

(3) Environmental, energy, environmental and social consequences. Any impact on regional transit corridor development must be positive and any limitations imposed by the presence of hazard or resource lands must be addressed.

(4) Retention of agricultural land.

(A) When a petition includes land with Class I-IV soils designated in the applicable comprehensive plan for farm or forest use consistent with the requirements of LCDC Goals No. 3 or 4, the petition shall not be approved unless it is factually demonstrated that

...

(iii) The property is a legal parcel or parcels 10 acres or smaller in aggregate zoned for Exclusive Farm Use under provisions of ORS Chapter 215 and occupied by one or more permanent structures, including but not limited to roads and paved parking lots; and

(aa) The parcel(s) are not used for rural residential purposes or agricultural production, cultivation, processing, or marketing; and

(bb) The parcel(s) were in existence at the time Exclusive Farm Use zoning was applied to the property; and

(cc) All structures predate or have been built in compliance with applicable comprehensive plans and zoning regulations and now cover at least 50 percent of the aggregate parcel(s) on which they are located.

(5) Compatibility of proposed urban uses with nearby agricultural activities. When a proposed adjustment would allow an urban use in proximity to existing agricultural activities, the justification in terms of factors (1) through (4) of this subsection must clearly outweigh the adverse impact of any incompatibility...

(d) Petitions to add land to the UGB may be approved under the following conditions...

(2) ...The proposed UGB must be superior to the UGB as presently located based on a consideration of the factors in subsection (a). The minor addition must include all similarly situated contiguous land which could also be appropriately included within the UGB as an addition based on the factors in subsection (a).

(3) Additions shall not add more than 50 acres of land to the UGB and generally should not add more than 10 acres of vacant land to the UGB...

IV. Findings and Conclusions Applying Approval Standards to the Case

A. Orderly and economic provision and improvement in the efficiency of public facilities and services (§ 3.01.040(a)(1)).

1. Water. The site is served by an approved community water system. This service is adequate to accommodate the needs of the church; therefore water can be provided to the site in a timely and efficient manner. The public water system to be developed north of the site provides an alternative means of water service that can be extended to the site in a timely and efficient manner. Inclusion of the Subject Property in the UGB allows it to be connected to the public water system to the north, facilitating its development and more efficient use.

2. Sewer. The site is served by a public sewer system with capacity to accommodate it. Therefore the site can be served by sewers in a timely and efficient manner. Inclusion of the Subject Property in the UGB has no effect on the efficient delivery of sewer services inside the UGB.

3. Storm drainage. Storm water from the site drains into the adjoining creek. The creek provides a timely and efficient route for that water. Including the Subject Property in the UGB does not affect the efficiency or availability of storm drainage in the vicinity.

4. Transportation. The site adjoins Miley Road. That road has capacity to serve traffic from the church, and has convenient access to the region from I-5 and I-205. Inclusion of the Subject Property in the UGB facilitates its use as a park and ride facility and increasing the efficiency of Miley Road by using some of the capacity of that road.

5. Fire protection. The Tualatin and Aurora Rural Fire Protection Districts serve the vicinity. Miley Road is the dividing line between these districts. The Aurora district serves the area south of Miley Road, and the Tualatin district serves the area north of the road. The Willamette River used to be the dividing line between the district service areas, but the dividing line was moved when Charbonneau was created. The 2 fire districts have mutual aid agreements to help one another with emergency services near their common boundary. At this time, fire protection services are provided to the Subject Property by the Aurora District. If annexed to Wilsonville, the Tualatin District will serve the site. In either event, the site can be served timely and efficiently by fire protection agencies.

The Aurora District Chief testified that the locational adjustment could confuse dispatchers responding to calls, because it would change what has been a consistent boundary for more than 15 years. That is, if a call for fire protection services comes in for a location along Miley Road, the dispatcher might not know whether to send the call to the Aurora or Tualatin districts.

The hearings officer concluded the potential confusion could result in slight service inefficiencies until dispatchers become used to the change in boundary location, but such effects will be short-lived, and can be accommodated without perceptibly affecting the efficiency of fire districts in the vicinity. The Council affirms the hearings officer's conclusion.

6. Schools. Granting the petition will not affect school services, because the Subject Site is not used for residences.

B. Land use efficiency (§ 3.01.040(a)(2)).

Granting the petition would be consistent with promoting the maximum efficiency of land uses by classifying as urban a site that is fully developed with an urban use. Thereafter the site can be regulated as such, rather than trying to continue to force it into being a square peg in a round hole. The adjoining land is developed or approved for development consistent with its applicable plan map designation and zoning. Because the use on the Subject Property provides social services to the adjoining urban community, it facilitates development and stability of that community.

C. Environmental, energy, economic and social consequences (§ 3.01.040(a)(3)).

Granting the petition will provide land use stability for the use on the Subject Property, and therefore facilitates the continued delivery of social services by that use. The Subject Property supports a variety of social services, including a park and ride lot, counseling, group meeting facilities, and political and social consciousness activities. The majority of the users of the Subject Property are residents of Wilsonville. Including the subject property in the UGB so that it can be annexed to Wilsonville helps cement that relationship. Granting the petition does not have environmental, energy, or economic consequences.

D. Agricultural land (§ 3.01.040(a)(4) and (5)).

1. The Subject Property is designated for farm use. But, it is smaller than 10 acres, is not used for rural residential purposes or for agriculture, existed before farmland zoning was applied, and more than 50 percent of the site is developed with structures and pavement that comply with the applicable land use regulations of the local government. Therefore, pursuant to Metro Code section 3.01.040(a)(4) as amended by Ordinance 88-261, granting the petition does not conflict with farmland protection laws and policies.

2. There are agricultural uses east and south of the site. Urban use of the Subject Property is compatible with those agricultural uses, because the site is separated from them by steep, forested slopes and a creek; the Subject Property is not visible from the agricultural land and vice versa; they have access to different roads; and, the use on the Subject Property does not generate external effects perceptible on the agricultural land.

3. Two residents of the surrounding area testified with concerns about the adequacy and consistency of the evidence on which the petition is based in light of applications filed by the petitioner and actions taken by local governments in the past. However the gist of their concerns appears to be that granting the petition could increase the potential for other land outside the UGB being included, particularly the Prairie Village subdivision about a 1/2-mile southeast of the site.

The Council concludes that granting the petition in this case has no bearing on other possible petitions for UGB amendments, except to the extent the facts are similar. There are few similarities between the Subject Property and other nonurban properties in the area. In particular, the use of nonurban land for a rural residential purpose, such as in Prairie Village, disqualifies that land for inclusion in the UGB under the same standards as apply in this case. Also the size of the Prairie Village development disqualifies it for inclusion under the standards that applied in this case. Accordingly, the Council concludes granting the petition in this case does not promote or justify including other land in the UGB except under the narrow circumstances of this case.

E. Superiority of proposed UGB & similarly situated land (§ 3.01.040(d)).

1. Granting the petition would result in a superior UGB, because it would include within the urban area a site fully developed for an urban use, would facilitate the continued delivery of a variety of social services by the use on that site, and would foster the relationship between the Subject Property and the jurisdiction in which most recipients of those social services live.

2. The petition includes all similarly situated land. Land to the east, south, and west is not similar to the Subject Property in terms of land use or water or sewer service or service availability. Land to the south and east is separated from the subject site by steep slopes and a creek, making it wholly impracticable to access those lands through the Subject Property for services or vehicles. Land to the west is Interstate-5.

V. Conclusions and Decision.

A. Public services and facilities, including water, sewer, storm drainage, transportation, schools, and police and fire protection, can be provided to the site in an orderly and economical fashion.

B. Addition of the site would result in a slight improvement in the efficiency of public water and transportation services, because the public water system can be extended to serve the site, and because the site can continue to be used for a park and ride lot, and associated traffic can use some of the available capacity of Miley Road.

C. The subject property is classified as agricultural land, but qualifies for inclusion in the UGB, because of its small size, use, and existing development, and urban use of the subject property will be compatible with agricultural uses in the vicinity.

D. The petition includes all similarly situated contiguous land outside the UGB.

E. The proposed UGB is superior to the existing UGB, based on consideration of the factors in § 3.01.040(a).

F. For the foregoing reasons, the petition in Contested Case 88-03 is approved.

DATED: _____

By Order of the Metropolitan
Service District Council

By

STAFF REPORT

Agenda Item No. _____

Meeting Date _____

CONSIDERATION OF ORDINANCE NO. 89-318 FOR THE PURPOSE
OF ADOPTING A FINAL ORDER AND AMENDING THE METRO URBAN
GROWTH BOUNDARY FOR CONTESTED CASE NO. 88-3: ST.
FRANCIS

Date: October 3, 1989

Presented By: Daniel Cooper

FACTUAL BACKGROUND

Contested Case No. 88-3 is a petition from St. Francis of Assisi Episcopal Church for a locational adjustment of the Metro Urban Growth Boundary in Clackamas County. The parcel is approximately 4 acres in size, and is completely developed for use as a church. The parcel is bounded by Miley Road to the north, a ravine and creek to the east and south, and the I-5 freeway to the west. Wilsonville has actively supported this petition. Clackamas County has decided to enter a position of "no comment".

On November 16, 1988, Metro Hearing Officer Larry Epstein held a hearing on this proposal in Wilsonville. After hearing testimony from the petitioner and concerned citizens, the Hearing Officer concluded that the petition met all applicable standards and should be approved. No exceptions to the report and recommendations of the Hearings Officer were received.

On February 23, 1989, the Metro Council unanimously passed Resolution No. 89-1055 (attached) which stated the intent of the Council to approve an ordinance formally amending the Metro Urban Growth Boundary upon annexation of the property to the Metro District and the City of Wilsonville. Further, the Metro Council stated that it would take that action within 30 days of annexation to the City of Wilsonville provided that the annexation was completed within 6 months of the adoption of Resolution No. 89-1055.

The Boundary Commission acted in a timely manner and approved the annexation request on the 6th of April, 1989, well within the 6 month limit referenced in Metro's resolution (order attached). In its analysis of the annexation petition, the Boundary Commission determined that the legal description furnished by St. Francis was incomplete and did not "close". Consequently, they directed the City of Wilsonville to develop a new legal description as a condition of approval.

Due to an extremely heavy workload and other factors beyond the control of the City, the development of a new legal description took longer than anticipated. In fact, the City was unable to complete the new legal description using existing

records and had to actually resurvey the entire property. The new legal description was completed around the end of August, and the final action of the Boundary Commission with the new legal description attached was furnished to Metro on September 26, 1989. That legal description has now been attached to Ordinance No. 89-318 as Exhibit A, and will be used as the description of the amended Metro Urban Growth Boundary should the Council adopt this measure.

In summary, the Boundary Commission has annexed the property to both Metro and the City of Wilsonville, as required by Metro Council Resolution No. 89-1055. Metro could not act within 30 days of the Boundary Commission's action because of the time needed to develop a new legal description. However, Metro has now been furnished with the necessary documentation and the Council can now act on its original statement of intent regarding the proposed amendment of the Urban Growth Boundary.

RECOMMENDATION

The Executive Officer recommends that the Council approve Ordinance No. 89-318, thereby amending the Metro Urban Growth Boundary consistent with the findings for Contested Case No. 88-3: St. Francis and the Council's unanimous approval of Resolution No. 89-1055.

DC:ES/es
10/3/89

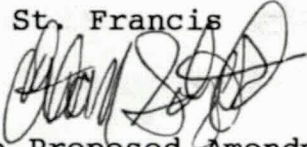


METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Memorandum

February 28, 1989

To: Parties to Contested Case No. 88-3, St. Francis
From: Ethan Seltzer, Land Use Coordinator 
Re: Metro Council Intent To Approve the Proposed Amendment
to the Urban Growth Boundary

On February 23, 1989, at its regularly scheduled meeting, the Council of the Metropolitan Service District unanimously passed Resolution No. 89-1055 (attached) which stated its intent to approve an ordinance amending the UGB as requested by St. Francis Episcopal Church and recommended by the Hearings Officer. The next step in the amendment process will be the request to the Boundary Commission, on the part of the petitioner, for annexation simultaneously to Wilsonville and Metro. Following annexation, the Metro Council will take action on an ordinance formally amending the UGB in accordance with the petition. You will be notified of the time and date of any hearing on that ordinance.

Please feel free to contact me at 220-1537 should you have any questions.

cc: Larry Epstein
Ken Martin, PMALGBC

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

Certified A True Copy of the Original Thereof
[Signature]
Clerk of the Council

FOR THE PURPOSE OF EXPRESSING)
COUNCIL INTENT TO AMEND METRO'S)
URBAN GROWTH BOUNDARY FOR CON-)
TESTED CASE NO. 88-3, ST. FRANCIS)
PROPERTY)

RESOLUTION NO. 89-1055

WHEREAS, Contested Case No. 88-3 is a petition from St. Francis of Assisi Episcopal Church to the Metropolitan Service District for a locational adjustment of the Urban Growth Boundary to include approximately 4 acres south of Wilsonville in Clackamas County as shown on Exhibit A; and

WHEREAS, A hearing on this petition was held before a Metropolitan Service District Hearings Officer on November 16, 1988, in Wilsonville; and

WHEREAS, The Hearings Officer has issued his Report and Recommendation, attached as Exhibit B, which finds that all applicable requirements have been met and recommends that the petition be approved; and

WHEREAS, The property is currently outside, but contiguous, the boundary for the Metropolitan Service District; and

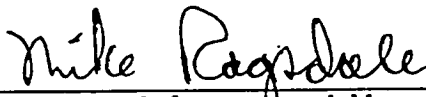
WHEREAS, The Metropolitan Service District Code Section 3.01.070(c)(i) provides that action to approve a petition including land outside the District shall be by resolution expressing intent to amend the Urban Growth Boundary after the property is annexed to the Metropolitan Service District; now, therefore,

BE IT RESOLVED,

That the Metropolitan Service District expresses its intent to adopt an Ordinance amending the Urban Growth Boundary as

shown in Exhibit A within 30 days of receiving notification that the property has been annexed to the Metropolitan Service District, provided such notification is received within six (6) months of the date on which this resolution is adopted.

ADOPTED by the Council of the Metropolitan Service District this 23rd day of February, 1989.



Mike Ragsdale, Presiding Officer

ES/es
2/8/89

STAFF REPORTMeeting Date Feb. 23, 1989CONSIDERATION OF RESOLUTION NO. 89-1055 FOR THE PURPOSE
OF EXPRESSING COUNCIL INTENT TO AMEND METRO'S URBAN
GROWTH BOUNDARY FOR CONTESTED CASE NO. 88-3, ST. FRANCIS

Date: February 8, 1989

Presented By: Daniel B. Cooper

FACTUAL BACKGROUND AND ANALYSIS

Contested Case No. 88-3 is a petition from St. Francis of Assisi Episcopal Church for a locational adjustment of the Urban Growth Boundary in Clackamas County. The property proposed for inclusion in the UGB is an approximately 4 acre parcel located south of Wilsonville, as shown in Exhibit A to the Resolution. The City of Wilsonville has gone on record in support of the amendment.

Metro Hearings Officer Larry Epstein held a hearing on this matter on November 16, 1988, in Wilsonville. Testimony was received from both the petitioner and from concerned citizens. The Hearings Officer's Report and Recommendation, attached as Exhibit B to the Resolution, concludes that the petition meets the applicable standards and should be approved. No exceptions to his Report and Recommendation were received.

Following presentation of the case by the Hearings Officer, the Council can decide whether it wants or needs to hear from any parties to this case, prior to making its decision. At its meeting on the 23rd of February, 1989, Council can approve this Resolution or remand the findings to staff or the Hearings Officer for modification. If the Resolution is approved, petitioner will need to annex the property to Metro prior to Council action on an Ordinance formally granting the petition.

ES/es
2/8/89

WILSONVILLE
CITY OF
MAY 1 1989
RECORDED

FINAL ORDER

RE: BOUNDARY CHANGE PROPOSAL NO. 2606 - Annexation of territory
to the City of Wilsonville.

Proceedings on Proposal No. 2606 commenced upon receipt by the
Boundary Commission of a resolution from the City on March 8,
1989, requesting that certain property be annexed to the City.
The petition meets the requirements for initiating a proposal set
forth in ORS 199.490, particularly paragraph (a) of section (1).

Upon receipt of the petition the Boundary Commission published
and posted notice of the public hearing in accordance with ORS
199.463 and conducted a public hearing on the proposal on April
6, 1989. The Commission also caused a study to be made on this
proposal which considered economic, demographic and sociological
trends and projections and physical development of the land.

The Commission reviewed this proposal in light of the following
statutory guidance:

"199.410 Policy. (1) The Legislative Assembly find that:

(a) A fragmented approach has developed to public ser-
vices provided by local government and such an approach has
limited the orderly development and growth of Oregon's urban
areas to the detriment of the citizens of this state.

(b) The programs and growth of each unit of local gov-
ernment affect not only that particular unit but also the
activities and programs of a variety of other units within
each urban area.

(c) As local programs become increasingly inter-
governmental, the state has a responsibility to insure
orderly determination and adjustment of local government
boundaries to best meet the needs of the people.

(d) Local comprehensive plans define local land uses but
may not specify which units of local government are to pro-
vide public services when those services are required.

(2) The purposes of ORS 199.410 to 199.519 are to:

(a) Provide a method for guiding the creation and growth of cities and special service districts in Oregon in order to prevent illogical extensions of local government boundaries;

(b) Assure adequate quality and quantity of public services and the financial integrity of each unit of local government;

(c) Provide an impartial forum for the resolution of local government jurisdictional questions; and

(d) Provide that boundary determinations are consistent with local comprehensive planning, in conformance with state-wide planning goals. However, when the proposed boundary commission action is within an acknowledged urban growth boundary, the state-wide planning goals shall not be applied. The commission shall consider the timing, phasing and availability of services in making a boundary determination.

199.462 Standards for review of changes; territory which may not be included in certain changes. (1) In order to carry out the purposes described by ORS 199.410 when reviewing a petition for a boundary change, a boundary commission shall consider economic, demographic and sociological trends and projections pertinent to the proposal, past and prospective physical development of land that would directly or indirectly be affected by the proposed boundary change and the goals adopted under ORS 197.225."

The Commission also considered its policies adopted under Administrative Procedures Act (specifically 193-05-000 to 193-05-015), historical trends of boundary commission operations and decisions, and past direct and indirect instructions of the State Legislature in arriving at its decision.

FINDINGS

(See Findings in Exhibit "A" attached hereto).

REASONS FOR DECISION

(See Reasons for Decision in Exhibit "A" attached hereto).


ORDER

On the basis of the Findings and Reasons For Decision listed in Exhibit "A", the Boundary Commission-approved Boundary Change Proposal No. 2606 as modified on April 6, 1989.

NOW THEREFORE IT IS ORDERED THAT the territory described in Exhibit "B" and depicted on the attached map, be annexed to the City of Wilsonville as of 45 days from this date which is May 21, 1989, or at what other subsequent date that the law requires.

PORTLAND METROPOLITAN AREA LOCAL GOVERNMENT
BOUNDARY COMMISSION

DATE: 4/6/89

BY: 
Vice-Chairman

Attest: 

FINDINGS

Based on the study and the public hearing the Commission found:

1. The territory to be annexed contains 3.97 acres, 1 church, and is evaluated at \$306,530 (exempt).
2. The primary reason for the proposed annexation is that the Church does not have a site-related mailing address, but rather has an Aurora post office box. The Church feels that this makes it difficult for people to find the church. If the church were within the City the City has authority to assign a site address to the church which would be a Wilsonville address. According to the submittal: "Applicant needs to have adequate water and sewer connections which are not available from any other source. Also we are very close to the City of Wilsonville located on a small unique parcel of land isolated from any other useable land. In addition our post office is in Wilsonville along with our transportation and marketing centers."
3. The property slopes off steeply to the east and the south to a year round creek.
4. The territory is outside the boundary of the Metropolitan Service District and outside the acknowledged regional urban growth boundary. The church has applied to Metro for an amendment to the Urban Growth Boundary. On February 23, 1989 Metro unanimously passed Resolution No. 89-1055 stating its intent to approve an ordinance amending the UGB as requested by St. Francis Episcopal Church and recommended by the Hearings Officer. The resolution also stated that following annexation to the City and simultaneous annexation to Metro, the Metro Council will take action on an ordinance formally amending the UGB.
5. The City and the County have an adopted Dual Interest Area Agreement. The County Plan designates the area as Exclusive Farm Use. The County has granted a conditional use permit to the church.

6. The City of Wilsonville's Comprehensive Plan has been acknowledged by LCDC. All of the City's urban growth boundary area has been annexed to the City. The City expects to apply the City's "Public" plan designation and the "Public Facilities" zone to the territory after it's annexed.
7. The church is provided sanitary sewer service from the City of Wilsonville via a line owned by the State Highway Division serving the rest area south of Wilsonville. The church is responsible for the maintenance of its 6-inch connecting line and is billed directly by the city for service based on estimated flow. The City currently charges the Church an outside user's charge, upon annexation the church will pay the lower inside the city user's charge.
8. In 1983 the Boundary Commission approved the formation of a Community Water System (Proposal No. W-304) to serve the subject territory. The church proposes to continue to obtain its water supply from this system until the City of Wilsonville water system is nearer the site of the church finds that it needs the public water supply. Currently the City's water system is within 400 feet of the site. The city indicates that the system will be extended to within 200 feet of the site this summer.
9. Wilsonville contracts with the Clackamas Co. Sheriff for protection at a level of 1 officer 24 hours a day 7 days a week.
10. The portion of Wilsonville north of the Willamette River is within the Tualatin Valley Fire and Rescue district which recently formed as the result of the merger of Tualatin RFPD and Washington County RFPD #1. The part of Wilsonville south of the Willamette River is in the Aurora RFPD. The subject territory is within the Aurora RFPD.
11. Land use Planning, Building Administration, and general governmental services are currently provided by Clackamas County. Upon annexation these services will be provided by the City.

REASONS FOR DECISION

Based on the Findings the Commission determined:

1. The boundary change as proposed includes only the privately owned parcels and does not include the road rights-of-way between the City and the proposed annexation. The Commission determined that the annexation would be more logical if it included the portions of Miley Rd. and I-5 located north of the territory to be annexed. This proposed modification will not adversely effect the Metro UGB amendment process. Metro staff will attach the legal description from the boundary change final order to the Metro ordinance formally changing the Urban Growth Boundary.
2. The proposal conforms with City, County, and regional planning for the area.
3. The City has an adequate quantity and quality of services available to serve the area.

LEGAL DESCRIPTION
ANNEXATION TO
City of Wilsonville

A parcel of land lying in the George L. Curry D.L.C. No. 43,
Township 3 South, Range 1 West, W.M., Clackamas County, Oregon,

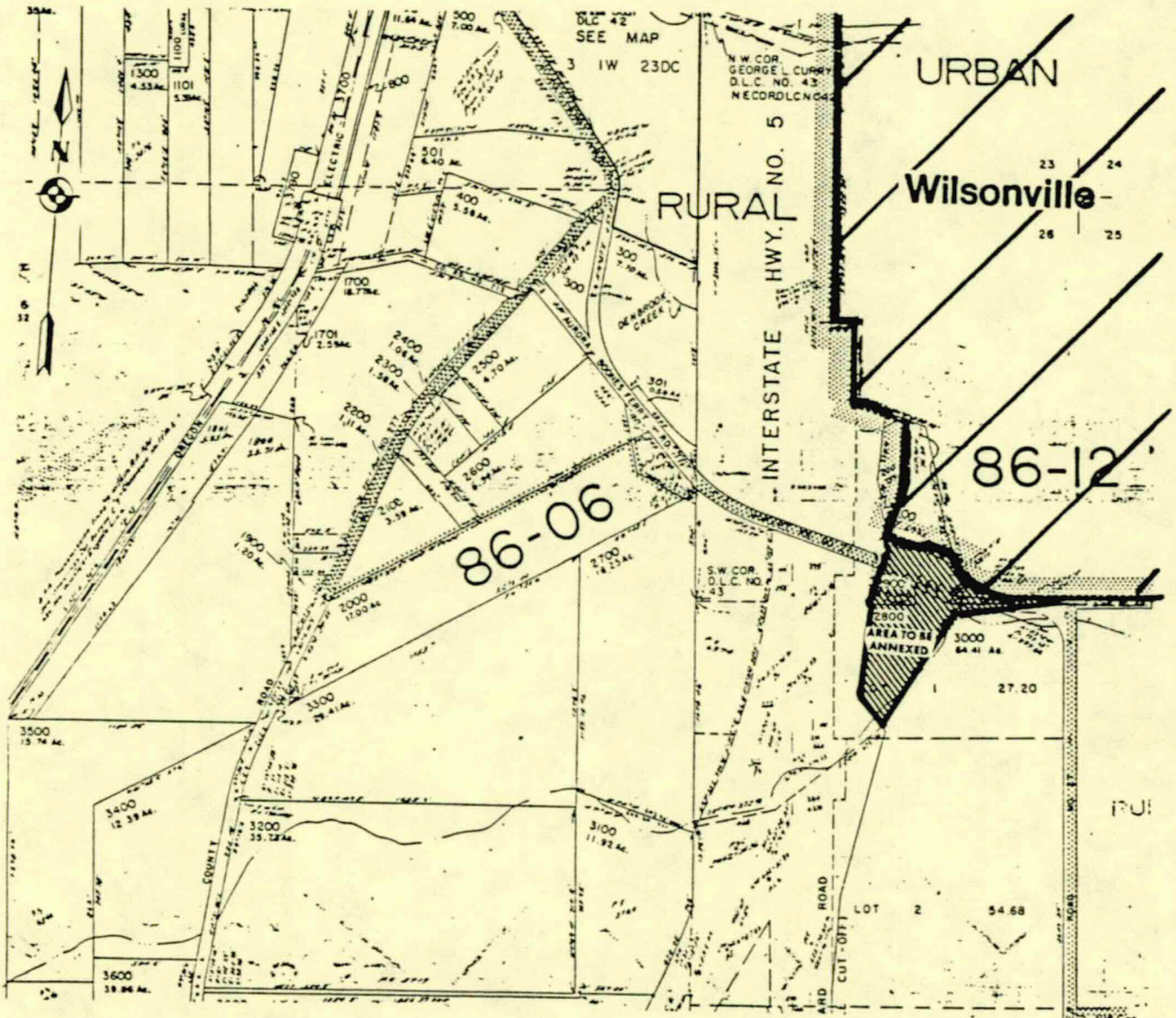
Beginning at a point, which is an Iron Pin 30 feet left of Engineer's centerline Station "E" 34+50 Miley Road, said point being N35°17' 45" E 3,204.38 feet from the southeast corner of the Jesse V. Boone D.L.C. No. 42, Township 3 South, Range 1 West, W.M.; thence South 88°07' 14" West 481.07 feet to a point, said point being the intersection of the south Right of Way of Miley Road and the east line of the St. Francis of Assisi Church property; thence South 34°44' 39" West 707.76 feet along said east line of St. Francis Church property to an intersection with the east Right of Way of Interstate Highway No. 5; thence North 39°03' 22" West 166.45 feet along said Right of Way to an Iron Pin which is 350 feet left of centerline Station "SB" 613+80; thence North 7°44' 51" East 465.95 feet to an Iron Pin which is 370 feet left of centerline Station "SB" 609+50; thence North 21°18' 16" East 301.16 feet to an Iron Pin which is 470 feet left of centerline Station 606+73.97; thence North 10°40' 01" West 44.43 feet to an Iron Pin which is the intersection of the east Right of Way line of Interstate Highway No. 5 and the North Right of Way of Miley Road; thence South 63°58' 14" East 158.35 feet along said Miley Road Right of Way to an Iron Pin which is 75 feet left of centerline Station 27+00; thence North 80°26' 33" East 59.66 feet to an Iron Pin which is 110 feet left of centerline Station 27+50; thence South 62°47' 20" East 140.41 feet to an Iron Pin which is 100 feet left of center line Station 28 + 96.15; thence South 84°29' 36" East 121.73 feet to an Iron Pin which is 130 feet left of centerline Station 30+21.71; thence South 77°07' 16" East 289.62 feet to an Iron Pin which is 140 feet left of centerline Station 33+21.71; thence South 39°02' 41" East 151.70 feet to the Point of Beginning.
An area which contains 7.69 Acres.

PROPOSAL NO. 2606

SECTION 26 T3S R1W W.M.
Clackamas County

3 1W 26

Scale: 1" = 800'



PROPOSAL No. 2606
CITY OF WILSONVILLE
ANNEXATION
FIGURE 2

Modified 4/6/89