

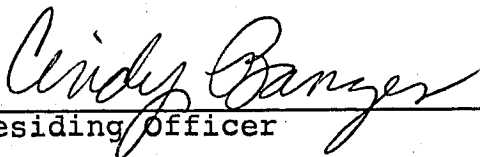
BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

IN THE MATTER OF INITIATING A) RESOLUTION NO. 82-309
METROPOLITAN SERVICE DISTRICT)
BOUNDARY ANNEXATION TO INCLUDE)
THE AREA OF THE WALDO VIEW)
ESTATES UGB AMENDMENT.)

BE IT RESOLVED by the Council of the Metropolitan Service
District that:

1. The Metropolitan Service District, organized and operated under Chapter 268 of Oregon Revised Statutes, desires to annex territory legally described in attached Exhibit A-1.
2. A map is attached hereto marked "Exhibit A-2" showing the affected territory to be annexed and its relationship to the present District boundaries.
3. The Portland Metropolitan Area Local Government Boundary Commission is hereby requested to review the proposed annexation and, after study, to enter its final order.
4. This Resolution shall be filed with the Portland Metropolitan Area Local Government Boundary Commission for its consideration and action.

ADOPTED by the Council of the Metropolitan Service District
this 25th day of February, 1982.



Presiding Officer

EXHIBIT "A"-1

A tract of land in the L.D.C. Latourette Donation Land Claim Nos. 39 and 45 in Sections 33 and 34, T. 2 S., R. 2 E., and Section 4, T. 3 S., R. 2 E., W.M., Clackamas County, Oregon described as follows:

Beginning in the center of Maple Lane Road on the South line of the L.D.C. Latourette Donation Land Claim, in Township 3 South, Range 2 East of the Willamette Meridian, at a point which is South 88° West 2324.52 feet from the Southeast corner of said claim, and running thence North 2° West 943.80 feet to a iron pipe at the Northwest corner of a tract conveyed to Claude L. Morris by deed recorded May 24, 1944 in Book 325, Page 445, Deed Records and in the East line of a tract conveyed to Clifford J. Montagne by deed recorded October 2, 1943 in Book 314, Page 222, Deed Records; thence North 2° West along the East line of said Montagne tract 236.28 feet to the Northeast corner of said Montagne tract and an iron pipe, which point is also the Southwest corner of a tract conveyed to Edward Everett Latourette by deed recorded June 9, 1927 in Book 189, Page 119, Deed Records; thence North 35° West 1081.08 feet to an angle corner on the East line of a tract conveyed to L. A. Perkins and wife, by deed recorded August 9, 1943, in Book 311, Page 382, Deed Records; thence Northerly (280) feet, more or less along the East line of said Perkins tract to the Northeast corner of said Perkins tract; thence Northerly (520) feet, more or less along the East line of a tract conveyed to Isaac D. Surfus by deed recorded January 2, 1885, Book Y, Page 266, Deed Records, to the Northeast corner of said Surfus tract; thence Northerly 686.4 feet, more or less, to the Southeast corner of a tract conveyed to Bridget E. Knowles by deed recorded September 4, 1894, Book 54, Page 418, Deed Records; thence Northerly 211.2 feet, more or less, along the East line of said Knowles tract to an angle corner in the South line of a tract conveyed to John Eskeldson and wife by deed recorded September 19, 1919, in Book 154, Page 380, Deed Records, which is also the Southwest corner of a tract conveyed to Lucy A. Stewart, by deed recorded May 11, 1949 in Book 419, Page 91, Deed Records; thence North 6° East along the West line of said Stewart tract 362.7 feet

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to the Northwest corner thereof; thence East along the North line of said Stewart tract, 359.1 feet to the Northeast corner thereof; thence North 0° 15' West (679.80) feet to the North line of said L.D.C. Latourette Donation Land Claim; thence North 88° East along the North line of said Donation Land Claim, 1212.42 feet to the Northwest corner of a tract conveyed to Herman Waldow by deed recorded November 5, 1937 in Book 240, Page 287, Deed Records; thence continuing along said North claim line North 88° East, 1147.08 feet to an iron pipe at the Northeast corner of said L.D.C. Latourette D.L.C. No. 45; thence South 00° 15' East, (620.00) feet; thence South 89° 45' West, (150.00) feet; thence South 00° 15' East, 590.66 feet to a point on the North line of that tract described in deed to Wendell W. Heagle recorded December 23, 1976 under Clackamas County Recorder's Fee No. 76-46049; thence along said North line South 82° 20' West, (416.85) feet; thence North 42° 56' West, 233.9 feet to an iron pipe; thence North 75° West, 178.2 feet to an iron pipe at the most Northerly corner of a tract conveyed to Herman A. Waldow by deed recorded January 8, 1945 in Book 337, Page 313, Deed Records; thence Southwesterly (610) feet, more or less along the West line of said Waldow tract, to an iron pipe at an angle corner on the said West line of said Waldow tract; thence South 0° 15' East along the West line of said Waldow tract (561.00) feet; thence South 88° West, 132 feet to an iron pipe; thence South 6° 30' East, 66 feet; thence North 88° East 132.26 feet to the Northwest corner of that tract conveyed to Ronald H. Bespflug, et ux, by deed recorded May 13, 1977 as Fee No. 77-20592; thence South 1° 46' 45" West, parallel with the East line of said Latourette Donation Land Claim, a distance of 691 feet to the Southwest corner of said Bespflug tract; thence North 88° East, 412.00 feet along the South line of said Bespflug tract to the Southeast corner thereof; thence South 00° 15' East, 312.5 feet along the West line of a tract conveyed to Walter J. Carson and wife by deed recorded November 14, 1947, Book 399, Page 347, to the Southwest

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corner of said Carson tract; thence South along the West line of a tract conveyed to Lowell A. Warner and wife by deed recorded August 27, 1953, Book 473, Page 79, Deed Records, 312.5 feet to the Southwest corner thereof; thence South 88° West along the North line of a tract conveyed to Glen L. Phillipy and wife by deed recorded April 4, 1947, Book 388, Page 142, Deed Records; 412.26 feet to an iron pipe at the Northwest corner of said Phillipy tract; thence South 0° 15' East along the west line of said Phillipy tract 1203 feet to a point which lies South 88° West 1162.26 feet and North 00° 15' West 150 feet from the Southeast corner of said Latourette Donation Land Claim, being also the Northeast corner of a tract conveyed to Kenneth J. Stewart and wife, recorded December 3, 1951 in Book 451, Page 225, Deed Records; thence South 88° West 167 feet; thence South 0° 15' East 150 feet to the South line of said Donation Land Claim; thence South 88° West along the South line of said Donation Land Claim, 296.34 feet to the Southeast corner of a tract conveyed to Claude L. Morris, including the 5 acres excepted therein, by deed recorded May 24, 1944 in Book 325, Page 445, Deed Records, said corner being also 1635.48 feet from the Southeast corner of said Latourette Donation Land Claim; thence South 88° West 689.04 feet to the point of beginning.

SUBJECT TO the rights of the public as to any portion in roads and highways.

EXCEPTING that portion already lying within the Urban Growth Boundary of December 21, 1978, and described as the southerly 170 feet of the westerly 320 feet of the foregoing described tract.

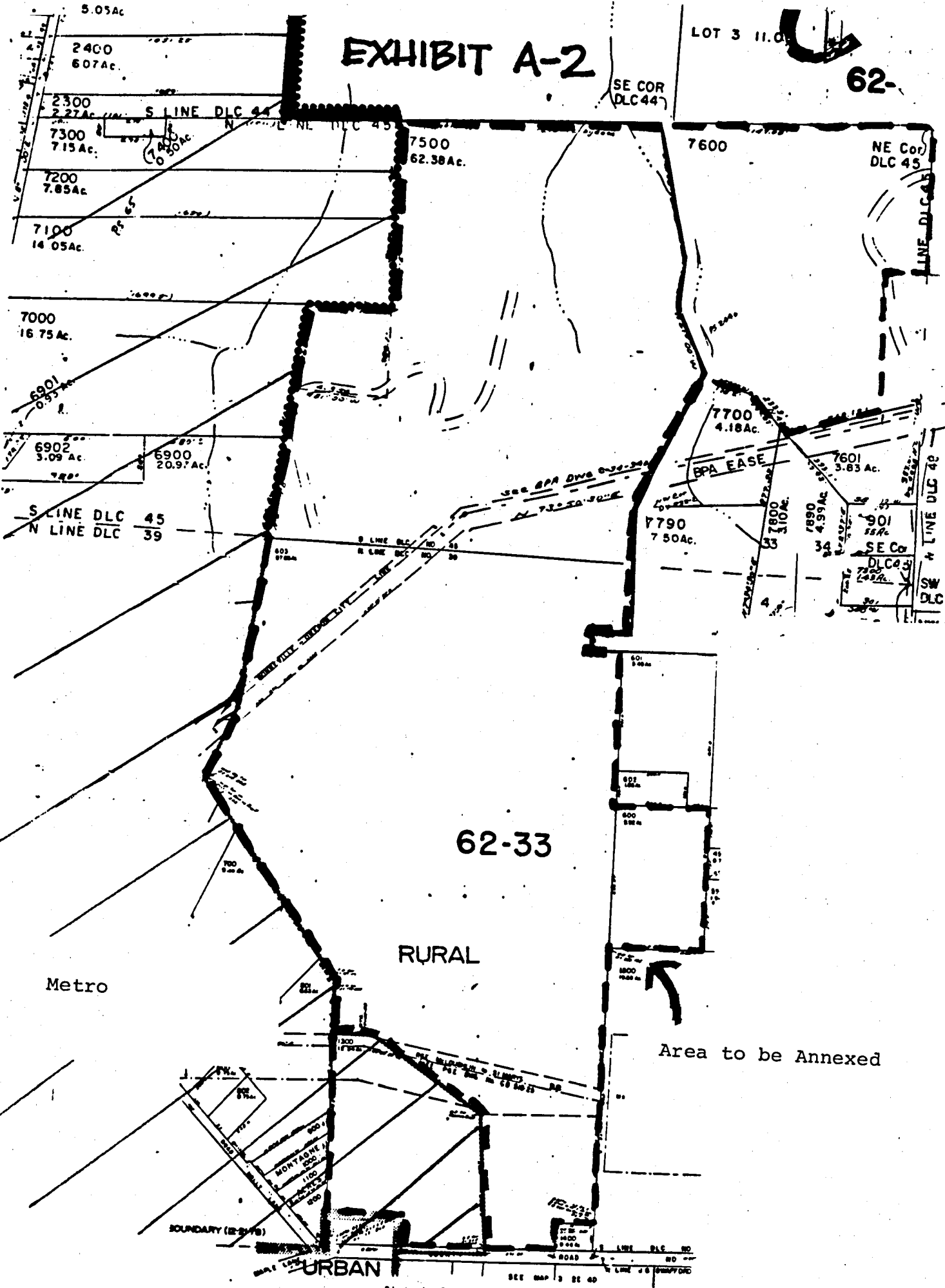
EXHIBIT A-2

LOT 3 11.0

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DLC 45



A G E N D A M A N A G E M E N T S U M M A R Y

TO: Metro Council
FROM: Executive Officer 
SUBJECT: Initiating a Petition to Annex Waldo Estates to Metro

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Adoption of Resolution No. 82-309, initiating a petition to annex Waldo Estates to Metro.
- B. POLICY IMPACT: Annexation of this property to Metro will allow for its inclusion within the Urban Growth Boundary (UGB), consistent with Metro Resolution No. 82-293, a resolution of intent to approve a petition by Clackamas County for a locational adjustment to the UGB and to amend the boundary in compliance with conditions.
- C. BUDGET IMPACT: None. The property owner will pay the Boundary Commission's petition fee.

II. ANALYSIS:

- A. BACKGROUND: The Council adopted Resolution No. 82-293 on January 7, 1982. Pursuant to that Resolution, the owner of Waldo Estates, Mr. Jim Johnson, began proceedings to annex his property to Metro. Two methods of annexation are available: (1) a triple majority annexation, which becomes effective immediately; or (2) a simple property owner petition, which does not become effective for 45 days following Boundary Commission action. To expedite the necessary approvals, Mr. Johnson has chosen the first approach, which requires action by Metro to initiate the annexation petition.

Although staff has been coordinating with Mr. Johnson and Boundary Commission staff on these proceedings, we were not informed until the day after the Development Committee's meeting of February 8 that Metro action in this matter was necessary.

The Development Committee was briefed on these proceedings generally, however, and expressed its commitment to expeditious completion of the remaining approvals needed. Accordingly, Development Committee Chairman Ernie Bonner has approved the placement of this matter on the Council's February 25 agenda, without a specific Development Committee recommendation, in order to allow the petition for Metro annexation to be placed on the Boundary Commission's April agenda.

- B. ALTERNATIVES CONSIDERED: To postpone action on the attached Resolution until March, or to ask the property owner to proceed with his own petition without Metro action would cause unnecessary delays in construction of a project toward which Metro has already expressed its commitment.
- C. CONCLUSION: The attached Resolution should be adopted in order to expedite the process for approval of the Waldo Estates project.

JH/srb
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