

January 7, 1974

To: Chuck Kemper  
From: Don Carlson  
Re: PROCEDURE FOR EXPANDING THE BOUNDARY OF THE METROPOLITAN SERVICE DISTRICT

The MSD is one of the nine types of special districts which falls within the jurisdiction of the Boundary Commission. The annexation procedure is the same for all these special districts and is set forth in ORS 199.410 to 199.510. Below is a summary of the procedure:

Method of Initiation. ORS 199.490 sets forth four methods for starting a district annexation proceedings. The annexation may be initiated:

- a) by a resolution adopted by the District Board;
- b) by a petition signed by at least 10 percent of the registered voters in the territory to be annexed;
- c) by a petition signed by the owners of at least one-half of the land area in the territory to be annexed; and
- d) by a resolution adopted by the Boundary Commission.

In all cases the initiating petition or resolution must:

1. Name the district and state that the proposed action is an annexation.
2. Include a "metes and bounds" legal description of the territory to be annexed.
3. Designate the principal Act of the District which in the case of the MSD is "Chapter 268 Oregon Revised Statutes."
4. Have a map attached which shows the territory described in the petition or resolution.
5. Be filed with the Boundary Commission.

Scheduling and Notification of Hearing. Upon receipt of a petition or resolution the Commission staff will place the proposal on a regular public hearing agenda (occasionally the Commission holds special public hearings if a proposal is of significant magnitude and interest). The Commission's regular public hearings are held every fourth Wednesday at 7:00 p.m. in Room 680 of the Multnomah County Courthouse. Hearing dates for 1974 are:

January 9  
January 16  
(Special Hearing in  
Rainier)  
February 6  
March 6  
April 3  
May 1

May 29  
June 26  
July 24  
August 21  
September 18  
October 16  
November 13  
December 11

The Commission requires that petitions or resolutions be submitted at least 30 days in advance of a public hearing date because we are required by statute to publish notification of a public hearing at least two times in a newspaper of general circulation in the county in which the territory to be annexed is situated. The Commission also causes notices to be posted within the territory to be annexed. The responsibility (financial and otherwise) for legal notice falls entirely on the Boundary Commission.

Staff Report, Public Hearing and Standards for Review. The Commission is required by statute to cause a study to be made of each proposal. The Commission staff conducts the study and makes it available to the Commission prior to the public hearing. Copies of the staff report are available to all interested persons upon request.

The public hearing is open to all interested persons to present testimony. At the hearing the Commission hears testimony from proponents first (usually those requesting the change make an initial presentation). After all the proponents have spoken, then opponents have an opportunity to be heard. Following the opponents, there is usually time for rebuttals and questions. All questions must be asked through the chair.

The Boundary Commission law sets forth the standards the Commission must use in reviewing an annexation. They are as follows:

"...when reviewing a petition for a boundary change, a boundary commission shall consider economic, demographic and sociological trends and projections pertinent to the proposal, and past and prospective physical development of land that would directly or indirectly be affected by the proposed boundary change."

Decision by the Commission; Effective Date. Upon completion of the study and public hearings, the Commission can make a decision. The Commission has the authority to deny proposals, modify proposals to either include or exclude territory, or approve proposals as originally submitted. If the Commission denies a proposal, then the proceedings terminate immediately. If the Commission approves a district annexation proposal, the boundary change will become effective 45 days from the date of approval. The 45 day period provides a time for remonstrances by registered voters within the territory to be annexed to be filed with the Boundary Commission. If the Commission receives remonstrances against an annexation proposal from at least 20 percent of the registered voters in the territory to be annexed, then an election will be held to determine the outcome. The election will be held only for those voters in the territory to be annexed.

Ability of Cities to be Excluded from District Annexation. It should be noted that cities not presently within the boundaries of the MSD have the ability to be excluded from any MSD annexation proposal. ORS 199.462 gives the cities this option as follows:

"(2) Subject to any provision to the contrary in the principal Act of the affected district....:

(a) Territory within a city may not be included within or annexed to a district without the consent of the City Council;"

This means if the MSD wishes to expand its boundaries to include all of Clackamas, Multnomah and Washington Counties, then specific consent must be obtained from the Councils of each of the following cities:

Clackamas County

Barlow  
Canby  
Estacada  
Molalla  
Sandy  
Wilsonville

Washington County

Wilsonville (north portion)

I hope this information will help you in your deliberations. If you have any questions, just let me know.

DEC/jk

east line of Section 20, T1N, R4E, W.M.; thence south leaving said State Boundary tracing the east line of Sections 20, 29 and 32, T1N, R4E, W.M.; thence continuing south along the east line of Sections 5, 8, 17 and 20, T1S, R4E, W.M. to the southeast corner of Section 20, T1S, R4E, W.M. which is a point on the line between Multnomah and Clackamas Counties, Oregon; thence west along said County line to the northeast corner of Section 28, T1S, R3E, W.M.; thence leaving said County line, south along the east line of said Section 28 to the southeast corner thereof; thence west along the south line of Sections 28, 29 and 30, T1S, R3E, W.M. to the west line of said Township; thence south along west line and the west line of T2S, R3E, W.M. to its intersection with the centerline of the Clackamas River; thence westerly tracing the centerline of the Clackamas River to its intersection with the east line of Section 16, T2S, R2E, W.M.; thence south along the east line of Sections 16, 21, 28 and 33, T2S, R2E, W.M., and the east line of Sections 4 and 9, T3S, R2E, W.M., to the southeast corner of said Section 9; thence west along the south line of Sections 9, 8 and 7, T3S, R2E, W.M., and the south line of Sections 12, 11 and 10, T3S, R1E, W.M. to the southwest corner of said Section 10; thence north along the west line of said Section 10 to the northwest corner thereof; thence west along the south line of Section 4, T3S, R1E, W.M. to the southwest corner of said Section 4; thence north along the west line of said Section 4 to the northwest corner thereof; thence west along the north line of said T3S, R1E, W.M., to the northwest corner thereof which is also the southeast corner of T2S, R1W, W.M., and the true point of beginning of this description.

July 25 - 69

MSD  
METROPOLITAN SERVICE DISTRICT

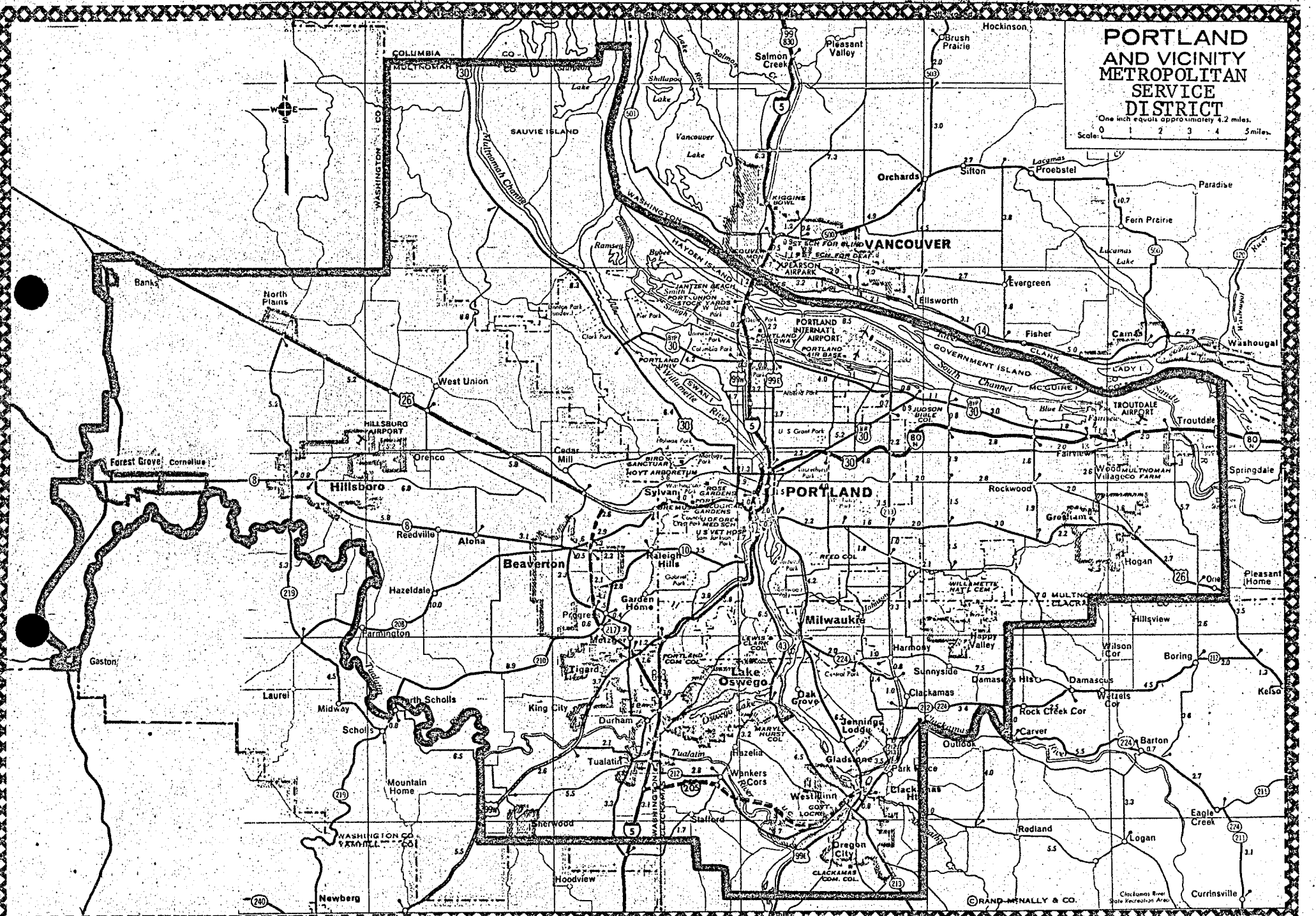
RECEIVED  
MAR 01 1974  
COLUMBIA REGION ASS'N.  
OF GOVERNMENTS

A parcel of land located in Clackamas, Multnomah and Washington Counties, Oregon, bounded as herein described:


Beginning at the southeast corner of T2S, R1W, W.M. which is a point in the boundary between Clackamas and Washington Counties, Oregon; thence west along the south line of T2S, R1W, W.M. to the southwest corner thereof; thence north along the west line of T2S, R1W, W.M., to a point on the centerline of the Tualatin River; thence following the centerline of the Tualatin River, northerly westerly and then southerly to a point on the east line of Section 35, T1S, R4W, W.M.; thence south along the east line of Section 35 to the southeast corner thereof; said point being on the boundary between Washington and Yamhill Counties; also being the southeast corner of the City of Gaston, Oregon; thence west along the south boundary of the City of Gaston to the southwest corner thereof; thence north along the west boundary of Gaston to the northwest corner thereof; thence easterly along the north boundary of Gaston to a point on the centerline of the Tualatin Highway (State of Oregon Drawing No. 6B-35-16); thence northerly along the centerline of Southern Tualatin Valley Highway to the intersection with Dilley Road (County Road No. A-164); thence northwesterly along Dilley Road to the intersection with Springtown Road (County Road No. 214); thence westerly along Springtown Road to a point on the east line of the William Beagle D.L.C. No. 38, Washington County, Oregon; thence northeasterly along the east line of D.L.C. No. 38 to a point on the north line of Section 2, T1S, R4W, W.M.; thence east along the north line of Section 2 to the southwest corner of Section 36, T1N, R4W, W.M.; thence north on the west line of Section 36 to the northwest corner thereof; thence east along the north line of Section 36 to a point on the centerline of Thatcher Road (County Road No. A121); thence northerly along the centerline of Thatcher Road to the intersection with Purdin Road (County Road No. 320); thence easterly along the centerline of Purdin Road to a point on the west line of the James Johnson D.L.C. No. 38; thence north along the west line of D.L.C. No. 38 to a point on the centerline of Kemper Road (County Road No. 2024); thence east along the centerline of Kemper Road to the intersection with the Nehalem Highway (Oregon State Highway No. 47); thence north along the centerline of the Nehalem Highway to the intersection with the Wilson River Highway (Oregon State Highway No. 6); thence westerly along the centerline of the Wilson River Highway to a point on the 1/4 section line of Section 36, T2N, R4W, W.M.; thence north along the center line of Sections 36 and 25, T2N, R4W, W.M.; to the center of Section 25; thence east along centerline of Section 25 to the northwest corner of the southwest 1/4 of Section 30, T2N, R3W, W.M.; thence east along the center section lines 30 and 29 to a point on the centerline of the Sunset Highway (U. S. Highway No. 26); thence southeasterly along the centerline of the Sunset Highway to a point on the north line of Section 32, T2N, R3W, W.M.; thence east along the north line of Sections 32, 33, 34, 35, and 36, T2N, R3W, W.M., and the north line of Sections 31, 32 and 33, T2N, R2W, W.M., to the northeast corner of said Section 33, T2N, R2W, W.M.; thence north along the west line of Sections 27, T2N, R2W, W.M., which is a point on the line between Washington and Multnomah Counties, Oregon; thence continuing north along the west line of Multnomah County to the northwest corner thereof which is the northwest corner of Section 27, T3N, R2W, W.M.; thence easterly tracing the north line of said Multnomah County to its intersection with the north boundary of the State of Oregon; thence easterly along said north boundary to its intersection with the

# PORTLAND AND VICINITY METROPOLITAN SERVICE DISTRICT

One inch equals approximately 4.2 miles.  
Scale: 0 1 2 3 4 5 miles.



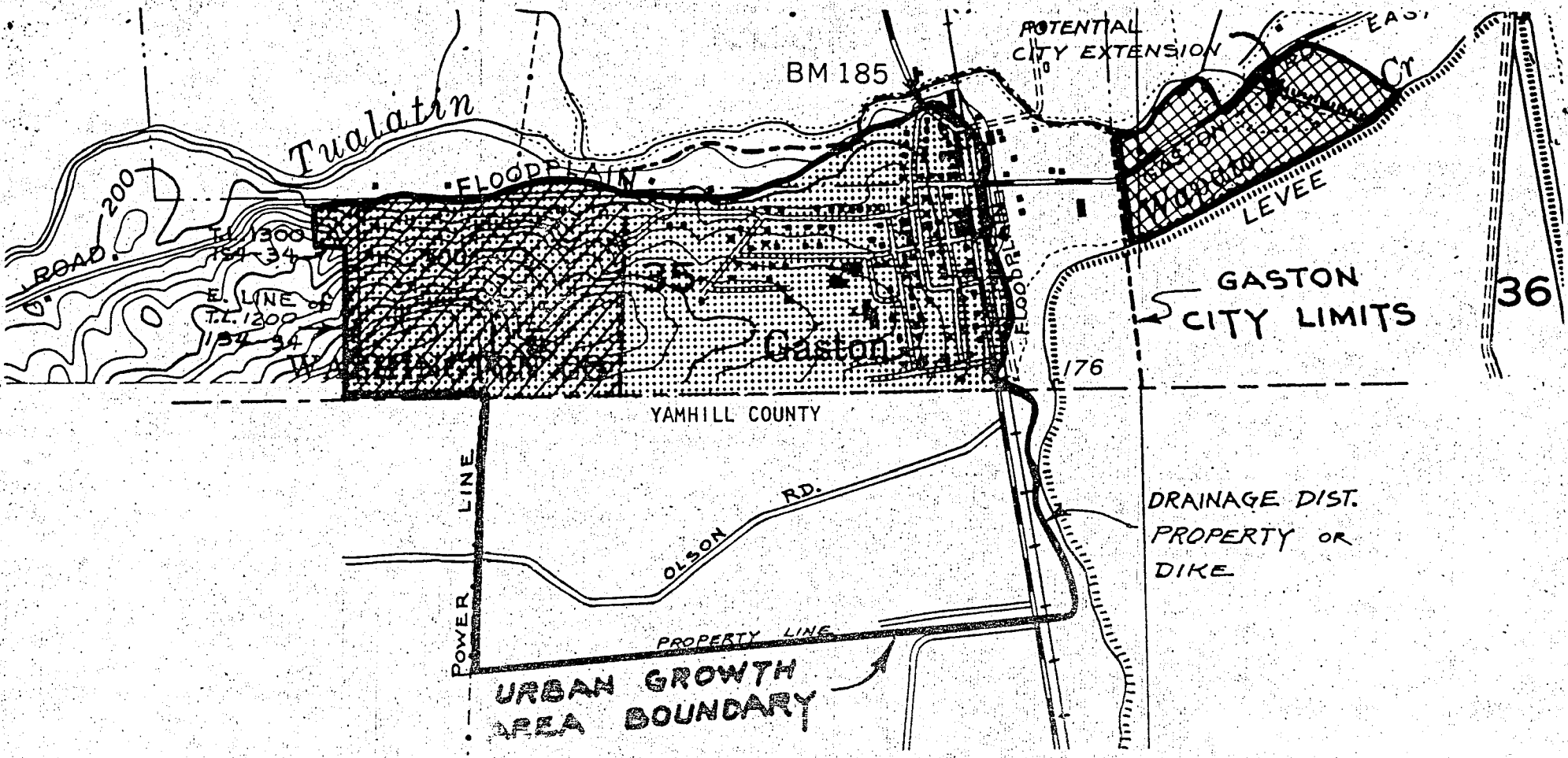
MEMO

TO: Dean Gisvold  
FROM: Chuck Kemper   
SUBJECT: MSD Boundary  
DATE: September 7, 1977

The attached is a copy of the urban growth boundary for Gaston, Oregon.  
As you can see, the city can annex outside the MSD boundary.

What should we do? Is the boundary commission interested in  
this program?

bh  
1.10.E.14



CITY of GASTON / WASHINGTON COUNTY

**URBAN GROWTH AREA STUDY**



CITY & COUNTY STAFF RECOMMENDED WASHINGTON COUNTY  
 COMPREHENSIVE FRAMEWORK PLAN DESIGNATIONS - RECOMMENDED FOR  
 ADOPTION BY WASH. CO. PLANNING COMMISSION: DEC. 14, 1976  
ADOPTED BY GASTON CITY COUNCIL: AUG. 3, 1976  
ADOPTED BY YAMHILL BOARD OF COUNTY COMMISSIONERS: FEB. 9, 1977

SCALE: 1" = 1000'  
 JUNE 1977







- |   |                    |   |  |
|---|--------------------|---|--|
|  | URBAN              |  | EXISTING CITY LIMITS   |
|  | URBAN INTERMEDIATE |  | URBAN GROWTH BOUNDARY  |
|  | NATURAL RESOURCE   |  | POTENTIAL CITY EXTENSION AREA UNDER CERTAIN<br>CONDITIONS (SEE REPORT) |

EXHIBIT "B"



File Baxendale 1.10.E.8

**HARDY, McEWEN, WEISS, NEWMAN & FAUST**

(FOUNDED AS CAKE & CAKE - 1886)

**ATTORNEYS AT LAW**

1408 STANDARD PLAZA

**PORTLAND, OREGON 97204**

TELEPHONE 226-7321  
AREA CODE 503

RALPH H. CAKE  
(1891-1973)

NICHOLAS JAUREGUY  
(1896-1974)

HERBERT C. HARDY  
DONALD W. McEWEN  
ROBERT L. WEISS  
JONATHAN U. NEWMAN  
JOHN R. FAUST, JR.  
JOSEPH J. HANNA, JR.  
DEAN P. GISVOLD  
GEORGE C. REINMILLER  
ROBERT D. RANKIN  
THOMAS L. GALLAGHER, JR.  
VICTOR W. VanKOTEN  
MARTIN W. ROHRER  
ROBERT A. STOUT  
JANICE M. STEWART  
ROBERT G. BOEHMER  
ELEANORE S. BAXENDALE

November 17, 1977

**RECEIVED**  
NOV 18 1977

**METRO SERVICE DISTRICT**

Mr. Chuck Kemper  
Metropolitan Service District  
1220 S. W. Morrison, Rm. 300  
Portland, Oregon 97205

RE: Boundary Question

Dear Chuck:

By memo dated September 7, 1977, you were asked some questions concerning the urban growth boundary for Gaston, Oregon. The proposed boundary would allow expansion into Yamhill County, which is outside the present MSD boundary.

I find nothing in Chapter 268 which would prevent the service district from including territory in Yamhill County so long as it was part of the metropolitan area and in need of MSD services.

Territory may be added by a referendum submitted to the voters by the District Board, or it could be accomplished by an annexation procedure under ORS Chapter 198. Both procedures are subject to the Boundary Commission Review, assuming their jurisdiction includes Yamhill County.

You asked, "What should we do?". I wouldn't do anything now; I'd wait until some person, group or organization from that county contacted you about providing MSD services.

Very truly yours,

HARDY, McEWEN, WEISS, NEWMAN & FAUST

*Dean*

Dean P. Gisvold

DPG:cln

HARDY, McEWEN, NEWMAN, FAUST & HANNA

(FOUNDED AS CAKE & CAKE-1886)

ATTORNEYS AT LAW

1408 STANDARD PLAZA

PORTLAND, OREGON 97204

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HERBERT C. HARDY  
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ROBERT D. RANKIN  
VICTOR W. VAN KOTEN  
ROBERT A. STOUT  
JANICE M. STEWART  
ROBERT G. BOEHMER

August 9, 1978

RALPH H. CAKE  
(1891-1973)  
NICHOLAS JAUREGUY  
(1896-1974)

Mr. Chuck Kemper  
Metropolitan Service District  
1220 S.W. Morrison, Room 300  
Portland, Oregon 97205

Dear Chuck:

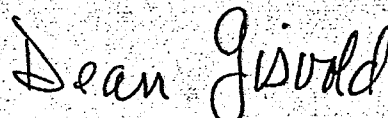
You asked whether the change in MSD's boundaries occasioned by the passage of Ballot Measure 6 affect any of MSD's financing powers as authorized by ORS Ch. 268, and if so, how.

MSD is authorized to finance its activities by levying ad valorem taxes and special assessments, issuing general obligation and revenue bonds, imposing and collecting user fees, seeking and accepting grants and borrowing funds from the state or any county or city with territory in the district. MSD presently receives funds from (1) the Zoo's five year serial tax levy; (2) user fees imposed and collected at the Zoo and area landfills; (3) grants made to the Zoo; and (4) a loan to MSD's solid waste division from DEQ's pollution control bond funds.

Except as noted in my letter to you of June 22, 1978 concerning the Zoo's serial levy, a copy of which is attached, MSD's authorized financing powers are not affected by the change in boundaries. The true cash value of all taxable property within the boundaries of the district will obviously change as a result of the new boundaries, but this figure will change each year in any event.

Further, except as noted in the attached letter, MSD's present sources of income are not affected by the change in boundaries. The serial levy and DEQ loan are fixed amounts. The solid waste and Zoo user fees will vary each year, but the boundary changes will not be a significant factor in the annual variation.

Very truly yours,



Dean P. Gisvold

DPG:ndo

HARDY, MCEWEN, NEWMAN, FAUST & HANNA

(FOUNDED AS CAKE & CAKE-1886)

ATTORNEYS AT LAW

1408 STANDARD PLAZA

PORTLAND, OREGON 97204

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ROBERT G. BOEHMER

RALPH H. CAKE  
(1891-1973)  
NICHOLAS JAUREGUY  
(1896-1974)

June 22, 1978

Mr. Chuck Kemper  
Metropolitan Service District  
1220 S.W. Morrison, Room 300  
Portland, Oregon 97205

Re: Boundary Change, Z-037

Dear Chuck:

You asked us to determine the effect of the passage of  
Ballot Measure #6 on the Zoo's five year serial levy.

Conclusions:

- (1) The property withdrawn from the MSD is not subject to the serial levy after fiscal year 1978-79.
- (2) The property added to the MSD is subject to the serial levy effective with fiscal year 1979-80.
- (3) In order to delete the withdrawn property and add the "new" property, MSD must give notice to the county assessors and the Department of Revenue in accordance with ORS 308.225.

History:

MSD voters approved a five year, \$2,000,000 a year serial levy effective July 1, 1976. The levy was presented to the voters with the following purpose statement:

"A measure providing for continued operation and maintenance of the Zoo by authorizing and directing a continuing five-year special tax levy within the Metropolitan Service District, comprising portions of Clackamas, Multnomah and Washington Counties,...." (emphasis added).

In the 1978 primary election MSD voters approved Ballot Measure #6, which changed the boundaries of MSD so that some property previously included within the boundaries when the levy was passed, such as

FILE COPY

Mr. Chuck Kemper

June 22, 1978

Page Two

Banks and North Plains, will be outside the new boundaries. Other property, previously outside the boundaries of MSD when the levy was passed, such as Wilsonville, will be added to the MSD boundary.

Discussion:

Withdrawn Property - The special district law, (ORS 198.880) provides that property withdrawn from a special district shall be free of assessments and taxes levied after the date of withdrawal by the district. However, the withdrawn area remains subject to any bonded or other indebtedness existing at the time of withdrawal. The five year serial levy is not considered to be "bonded or other indebtedness". Thus, the withdrawn property will be free of that portion of the five year serial levy which is levied after January 1, 1979, the date of withdrawal. Property taxes are "levied" in July of each year. Thus, the withdrawn area is not relieved of the MSD taxes until after fiscal year 1978-79.

Additional Area - The general rule is that property added to a municipal corporation, unless the legislature otherwise provides, is subject to taxation upon same basis and same rate as other property in the taxing district. 2 McQuillin, Municipal Corporations, §7.48. The general rule is supported by the special district law (ORS 198.860), which provides that annexed property shall be subject to the outstanding indebtedness, bonded or otherwise, of the district in the same manner as territory already within the district. We find no legislative restrictions on taxing the added property. Thus, we believe that the added property is subject to the serial levy. Because the law does not take effect until January 1, 1979, the "new" property is not subject to the serial levy until July, 1979 for fiscal year 1979-80.

Notice - The county assessor is instructed by state law to disregard any changes in boundary lines of any taxing district unless a description of the changes and a map are filed with each county assessor and the Department of Revenue in accordance with ORS 308.225. This notice must be given prior to March 31, 1979, unless the legal description has not been certified as closing by either a registered land surveyor or registered engineer, then an earlier filing (by February 15, 1979) must be made with the Department of Revenue. If there are any questions about compliance, please advise.

Very truly yours,

Dean P. Gisvold

DPG:ndo



**METROPOLITAN SERVICE DISTRICT**

1220 S. W. MORRISON ROOM 300 PORTLAND, OREGON 97205

(503) 248-5470

October 4, 1978

TO: Chuck Kemper

FROM: Paul Norr

SUBJECT: Notification of MSD Boundary Changes to Washington, Clackamas, and Multnomah Counties, and the Department of Revenue

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The attached copies of letters from Dean Gisvold indicate that MSD is responsible for notifying the three counties and the Department of Revenue of any boundary changes according to the following schedule:

- A. By February 15, 1979, if the legal description has not been certified as closing by either a registered surveyor or registered engineer, or
- B. by March 31, 1979, if the legal description has been certified.

2070

I suggest filing with the Department of Revenue a copy of the House Bill (27D) Boundary Description together with the old Boundary Description sometime before February 15, 1979, and notifying each county assessor that the filing has been made.

HARDY, McEWEN, NEWMAN, FAUST & HANNA

(FOUNDED AS CAKE & CAKE-1886)

ATTORNEYS AT LAW

1408 STANDARD PLAZA

PORTLAND, OREGON 97204

TELEPHONE 226-7321  
AREA CODE 503

HERBERT C. HARDY  
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DEAN P. GISVOLD  
ROBERT D. RANKIN  
VICTOR W. VANKOTEN  
JANICE M. STEWART  
ROBERT G. BOEHMER  
JEFFREY W. BOCK

September 19, 1978

RALPH H. CAKE  
(1891-1973)  
NICHOLAS JAUREGUY  
(1896-1974)

RECEIVED  
SEP 20 1978  
METRO SERVICE DISTRICT

Mr. Chuck Kemper  
Metropolitan Service District  
1220 S.W. Morrison, Room 300  
Portland, Oregon 97205

Re: City of Banks/Change of Boundaries

Dear Chuck:

I am returning the original of Henry Kane's letter to the District, dated June 28, 1978, concerning the above matter.

You should calendar his request in accordance with my opinion letter and ORS 308.225. If the litigation is still pending and it is time to send the appropriate notice to Washington County and the Oregon Department of Revenue, I suggest you send such notice with the new boundaries but caution the parties that the litigation challenging the changes is still pending.

Very truly yours,

*Dean*

Dean P. Gisvold

DPG:ndo  
Enclosure

**HENRY KANE**  
ATTORNEY AT LAW  
220 PARK PLAZA WEST  
10700 S.W. BEAVERTON HY.  
P. O. BOX 518  
BEAVERTON, OREGON 97005

**RECEIVED**  
JUN 29 1978  
METRO SERVICE CODE 503  
AREA 046956  
TELEPHONE 846956  
June 28, 1978

Charles Kemper, Director  
Metropolitan Service District  
1220 S.W. Morrison St., Rm. 300  
Portland, Or. 97205

Re: City of Banks

Dear Mr. Kemper:

Many thanks for the copy of the June 22, 1978 letter opinion re Boundary Change, Z037, stating in part:

"(1) The property withdrawn from the MSD is not subject to the serial levy after fiscal year 1978-79."

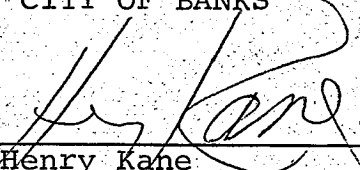
The letter opinion states in part that the county assessor is instructed by state law to disregard any changes in boundary lines of any taxing district unless a description of the changes and a map are filed with each county assessor and the Department of Revenue in accordance with ORS 308.225.

Accordingly, the City of Banks, which has been withdrawn from the Metropolitan Service District by voter approval of Ballot Measure No. 6, requests the MSD to so notify the Washington County Department of Assessment and Taxation and the Oregon Department of Revenue, and to provide the undersigned with a copy of each such notice.

Very truly yours,

THE CITY OF BANKS

By

  
Henry Kane  
City Attorney

cc: Hon. Howard Steinbach,  
Mayor, City of Banks

HARDY, McEWEN, NEWMAN, FAUST & HANNA

(FOUNDED AS CAKE & CAKE-1886)

ATTORNEYS AT LAW

1408 STANDARD PLAZA

PORTLAND, OREGON 97204

J.W.  
RESERVED  
125 LETTERS  
Call

TELEPHONE 226-7321  
AREA CODE 503

RAUPH H. CAKE  
(1891-1973)  
NICHOLAS JAUREGUY  
(1896-1974)

HERBERT C. HARDY  
DONALD W. McEWEN  
JONATHAN U. NEWMAN  
JOHN R. FAUST, JR.  
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DEAN P. GISVOLD  
ROBERT D. RANKIN  
VICTOR W. VANKOTEN  
JANICE M. STEWART  
ROBERT G. BOEHMER  
JEFFREY W. BOCK

November 22, 1978

RECEIVED  
NOV 24 1978

METRO SERVICE DISTRICT

Mr. Chuck Kemper  
Metropolitan Service District  
1220 S.W. Morrison  
Portland, Oregon 97205

Re: LCCM A-014  
Notification of Justification Affected by  
the New MSD Boundaries

Dear Chuck:

Enclosed, pursuant to your request, is a letter notifying the assessors in Multnomah, Washington and Clackamas Counties and the State Department of Revenue of the change in MSD boundaries as required by ORS 308.225. MSD is not required to notify cities outside the new MSD boundary or other entities that do not levy taxes for MSD. However, for informational purposes, you may wish to send copies of this notice to others and in particular to Henry Kane pursuant to his request of June 28, 1978.

You may wish to include with this notice not only the legal description and a map showing the new boundary, but also some indication of the boundary change such as an overlay map of the old boundary or underlining of the new portions of the legal description.

The second sentence of the second paragraph of the notice should be deleted if a registered land surveyor or registered engineer certifies the description of the boundary as closing. In that event, the notice need not be given until March 31, 1979, as opposed to February 15, 1979, if the legal description is not certified. I recommend giving the notice as soon as possible.

If you have any questions, please give me a call.

Very truly yours,

Dean P. Gisvold

Dean P. Gisvold

DPG:jndo  
Enclosure



SPEED LETTER®

TO DEAN GISVOLD

FROM CHARLES KEMPER

TO

FROM

NOTIFICATION TO JURISDICTIONS AFFECTED BY THE NEW MSD BOUNDARIES

SUBJECT

LCCM A 014 FILE No. 1.10.E/8

No. 9 & 10 FOLD

MESSAGE

DATE 11/14/78

19

Please prepare letters to include maps for those cities that are affected by boundary changes pursuant to your previous correspondence. The letter should be sent to those taxing authorities also that will have to change their election boundaries. It is my understanding that the letters would only go to those cities and counties affected that would be outside the new MSD boundaries. Please respond Dec. 1, 1978.

SIGNED

REPLY

DATE

19

No. 9 FOLD

No. 10 FOLD

SIGNED

SNAP-A-WAY AND RETAIN YELLOW COPY. SEND WHITE AND PINK COPIES WITH CARBON INTACT

REPRODUCTION DEPARTMENT

January 5, 1979

Robert A. Mead  
Urban Rural Mapping Unit  
Department of Revenue  
State Office Building  
Salem, Oregon 97310

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You should be aware, however, of pending litigation by Clackamas County, seeking a declaration that Ballot Measure No. 6 is null and void. The circuit court upheld MSD's contention that the new legislation and boundaries are valid; however, Clackamas County is appealing the decision.

The legal description of, and an accurate map showing the new boundaries are enclosed. This description of the boundaries is not certified as closing by either a registered land surveyor or a registered engineer and therefore requires approval or disapproval by the Department of Revenue within 30 days of receipt in accordance with ORS 308.225(5).

This change of boundaries affects the MSD five-year special tax levy, which became effective July 1, 1976, for continued operation and maintenance of the Washington Park Zoo.

Richard L. Gustafson  
Executive Officer

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January 8, 1979

Donald Mason  
Washington County Tax Assessor  
Washington County Courthouse  
Hillsboro, Oregon 97123

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Richard L. Gustafson  
Executive Officer

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encls.

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January 8, 1979

Juanita N. Orr  
Clackamas County Tax Assessor  
168 Warner Milne Road  
Oregon City, Oregon 97045

To the Attention of Edith Bowen

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Richard L. Gustafson  
Executive Officer

RLG/jw  
encls.



January 8, 1979

Bruce G. Lawson, Director  
Multnomah County Tax Assessor  
Multnomah County Courthouse  
Portland, Oregon 97204

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Richard L. Gustafson  
Executive Officer

RLG/jw  
encls.



January 5, 1979

Robert A. Mead  
Urban Rural Mapping Unit  
Department of Revenue  
State Office Building  
Salem, Oregon 97310

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Richard L. Gustafson  
Executive Officer

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January 8, 1979

Bruce G. Lawson, Director  
Multnomah County Tax Assessor  
Multnomah County Courthouse  
Portland, Oregon 97204

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Executive Officer

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January 8, 1979

Juanita N. Orr  
Clackamas County Tax Assessor  
168 Warner Milne Road  
Oregon City, Oregon 97045

To the Attention of Edith Bowen

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Richard L. Gustafson  
Executive Officer

RLG/jw  
encls.





TO BE DONE ON MSD STATIONERY

Multnomah County Tax Assessor  
Washington County Tax Assessor  
Clackamas County Tax Assessor  
Department of Revenue

Gentlemen:

In accordance with ORS 308.225(2), you are hereby notified that the boundaries of the Metropolitan Service District will be changed effective January 1, 1979, pursuant to the voters approval of Ballot Measure No. 6 (Chapter 665, Oregon Laws 1977) at the primary election on May 23, 1978. Some property previously included within the boundaries will be outside the new boundaries and other property, previously outside the boundaries, will be added to the Metropolitan Service District.

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Very truly yours,

Charles Kemper  
Metropolitan Service District

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INSTRUCTIONS FOR FILING MINOR BOUNDARY CHANGE PROPOSALS

BY DISTRICT BOARD

Annexations or Withdrawals

ORS 199.490(1)(a)

*Please read all instructions before submitting a proposal to the Boundary Commission.*

Step 1. Resolution

If a district board desires to annex (withdraw) territory, the board may initiate proceedings for annexation (withdrawal) by resolution. A sample resolution is attached (PMALGBC FORM #7).

Step 2. Legal Description

A metes and bounds legal description of the territory to be annexed or withdrawn shall be submitted. This description should be inserted in or attached to the resolution. In addition two separate copies of the metes and bounds description must be submitted. (A lot, block and subdivision description may be substituted for the metes and bounds description if the area is platted and no metes and bounds description is available.) After obtaining the legal description, take it and PMALGBC FORM #4 to the County Assessor's Office, obtain the map(s) noted in Step 3, and have the Assessor's Office complete FORM #4.

Step 3. Map

Submit with the proposed annexation or withdrawal a county assessor's quarter section map (or maps) on which you have clearly outlined the territory to be annexed or withdrawn. The city or district boundary should also be outlined on the map.

Step 4. List of Property Owners

If the proposed annexation or withdrawal involves 10 or fewer property owners, complete FORM #5 (please print or type).

Step 5. Information Sheet

Complete information sheet furnished by the Boundary Commission (PMALGBC FORM #6).

Step 6. Filing Deadlines

Refer to the attached schedule for filing deadlines. The Commission normally meets every four weeks on a Wednesday.

*(Note: The above six steps complete the process for initiating proposals with the Boundary Commission. The following steps describe the Commission's study process prior to the public hearing.)*

### Step 7. Advertising Public Hearing

The Boundary Commission Law requires a notice of public hearing to be published 15 to 25 days prior to the hearing. A second publication 8 to 15 days prior to the hearing or notification directly to the property owners completes the second notification requirement. The publication must be in a newspaper serving the affected area.

### Step 8. Location for Posting Notices

Portland Metropolitan Area Local Government Boundary Commission posts notices for public hearings in the affected territory and in other places determined necessary. The notice shall be posted at least 15 days prior to the public hearing.

### Step 9. Staff Study Factors

ORS 199.462 of the Boundary Commission Act states: "When reviewing a boundary change, a boundary commission shall consider economic, demographic, and sociological projections pertinent to the proposal, and past and prospective physical developments of land that would directly or indirectly be affected by the proposed boundary change."

In addition to the information contained in the resolution the staff of the Portland Metropolitan Area Local Government Boundary Commission considers the following factors and objectives in reaching a decision for a boundary change:

#### Physical Factors:

- (1) Municipal services--police and fire protection, water supply, sanitary sewers, storm sewers, electricity, streets, parks, etc. (What are the existing conditions? What is the need for services? What are the problems and possibilities of extending the services?)
- (2) Topography--unusual conditions such as unusual contours, slopes over 20 percent, lakes, rivers, flood water conditions, drainage basins, natural boundaries which might adversely affect the provision of services.
- (3) Traffic--conditions of existing streets, traffic patterns, adequacy of rights-of-way, continuance of existing street patterns, highway locations.
- (4) Government facilities--school capacity.

#### Demographic:

Population, population density, likelihood of growth in area, proximity to populated areas.

#### Social:

Economic conditions, social characteristics, preservation of neighborhoods, creation and preservation of logical service areas, effect on adjacent areas, adequate community facilities.

Government:

Comprehensive land use plan (neighborhood, community, city, county, regional)--relation to available comprehensive land use plan(s) and Interim plans.

Logical expansion. (Is more land needed for better annexation? Is less land needed for better annexation? Is the annexation contiguous to existing boundaries? The relation of government codes and regulations to the proposal. Present costs and added costs due to annexation. General effect of finances, debt structures, and contractual obligations and rights of all affected governmental units.)

The Boundary Commission staff notifies, and considers response from, all affected governmental units, including state and federal agencies which may have an interest in this proposal (State Health Division, U. S. Forest Service, DEQ, etc.), county departments (Building and Sanitation, Planning, etc.), and cities and districts in the vicinity of proposed change.

Step 10. Staff Reports

The preceding study factors are considered in the staff reports released approximately one week prior to the public hearing. After review by the Boundary Commission, the staff notes are available upon request to cities, districts, petitioners, and other interested parties.

Step 11. Public Hearing

The Boundary Commission, at a public hearing, may approve or disapprove a proposal. The Commission may also modify a proposal to make it larger or smaller. If the Commission extends a proposal, notification of the affected property owners is required at the public hearing or by mail. If the Commission denies the proposal, the proceeding terminates. If the Commission approves the proposal, the proceedings are subject to a 45-day waiting period during which time remonstrance petitions signed by not less than 20 percent of the registered voters (ORS 199.505) may be submitted to call an election on the proposal. If no remonstrance is filed, the proposal is final. The Boundary Commission then notifies the appropriate filing agencies, i.e., Secretary of State, County Recorders and/or County Assessors, City or District Recorder.

Submit to: Portland Metropolitan Area Local Government Boundary Commission  
6400 S. W. Canyon Court  
Portland, Oregon 97221

(Phone: 297-2237)

TO THE DISTRICT BOARD:

The following form is a sample and must be retyped using the appropriate information. Wherever a phrase appears in "italics," an appropriate choice must be made.

PMALGBC FORM #7

DISTRICT RESOLUTION

*(Annexations to a District)*  
*(Withdrawal from a District)*

RESOLUTION # \_\_\_\_\_

BE IT RESOLVED BY THE BOARD OF THE \_\_\_\_\_ (Name of District)

Section 1. The \_\_\_\_\_ (Name of District), organized and operating under Chapter \_\_\_\_\_ of Oregon Revised Statutes, desires to *(annex)* OR *(withdraw)* the territory legally described *(as follows)* OR *(in Exhibit A)*.

*(Insert Legal Description)*

Section 2. A map is attached hereto marked "Exhibit \_\_\_\_\_" showing the affected territory to be annexed *(withdrawn)* and its relationship to the present district boundaries.

Section 3. The Portland Metropolitan Area Local Government Boundary Commission is hereby requested to review the proposed *(annexation)* OR *(withdrawal)* and after a study to enter its final order.

Section 4. This Resolution shall be filed with the Portland Metropolitan Area Local Government Boundary Commission for its consideration and action.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_.

ATTEST:

\_\_\_\_\_  
Chairman

PMALGBC FORM #4

CERTIFICATION OF LEGAL DESCRIPTION AND MAP

I certify that the description of property included within the attached petition or resolution has been checked by me and is a true and exact description of the property under consideration, and the description corresponds to the attached map indicating the property under consideration.

Name \_\_\_\_\_

Title \_\_\_\_\_

Department \_\_\_\_\_

County of \_\_\_\_\_

Date \_\_\_\_\_

(This Form is Not a Petition)

PMALGBC FORM #5

OWNERS OF PROPERTY INCLUDED IN BOUNDARY CHANGE PROPOSAL

(To be completed if the proposal contains 10 or fewer properties (Tax Lots or parcels). Please indicate the name and address of all owners of each property.)

NAME OF OWNER	ADDRESS	PROPERTY DESIGNATION (Indicate tax lot and section number and township range)
1)		
2)		
3)		
4)		
5)		
6)		
7)		
8)		
9)		
10)		

BOUNDARY CHANGE DATA SHEET

I. EXISTING CONDITIONS OF TERRITORY DESCRIBED IN BOUNDARY CHANGE

A. Land Area: Acres \_\_\_\_\_ or Square Miles \_\_\_\_\_

B. General Description of Territory: (include topographic features such as slopes, vegetation, drainage basins, flood plain areas which are pertinent to this proposal)  
\_\_\_\_\_  
\_\_\_\_\_

C. Existing Land Use:

Number of single family units \_\_\_\_\_  
Number of multi-family units \_\_\_\_\_  
Number of commercial structures \_\_\_\_\_  
Number of industrial structures \_\_\_\_\_  
Public facilities or other uses (please describe) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

D. Total Current Year Assessed Valuation \$ \_\_\_\_\_

E. Total Estimated Population \_\_\_\_\_

F. Current County Zoning Status (if territory contains more than one land use zone, please indicate tax lot numbers and existing zoning designation for those tax lots)  
\_\_\_\_\_  
\_\_\_\_\_

G. Is the area adjacent to the territory to be annexed (and not in the city or district) of the same general character or degree of development as the territory to be annexed? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, why isn't the adjacent area included in the proposal?  
\_\_\_\_\_  
\_\_\_\_\_

If no, how does the adjacent area differ?  
\_\_\_\_\_  
\_\_\_\_\_



II. PROPOSED DEVELOPMENT OF TERRITORY DESCRIBED IN BOUNDARY CHANGE

A. If the property is entirely or substantially undeveloped, what are the plans for future development? (Be specific--if site or development plans have been prepared please submit a copy.)

\_\_\_\_\_

\_\_\_\_\_

B. Can the proposed development be achieved under current county zoning?

Yes \_\_\_\_\_ No \_\_\_\_\_

If no, has a zone change been sought from the county either formally or informally for the property under consideration.

Yes \_\_\_\_\_ No \_\_\_\_\_

Please describe outcome of zone change request if answer to the above question is "yes".

\_\_\_\_\_

C. If the boundary change is for annexation to a city, is the proposed development compatible with the city's Comprehensive Land Use Plan for the area?

Yes \_\_\_\_\_ No \_\_\_\_\_ City has no plan for the area \_\_\_\_\_

Has the proposed development been discussed either formally or informally with any of the following: (please indicate)

City Planning Commission \_\_\_\_\_  
City Planning Staff \_\_\_\_\_  
City Council \_\_\_\_\_  
City Manager \_\_\_\_\_

Please describe the reaction to the proposed development from the persons or agencies indicated above.

\_\_\_\_\_

\_\_\_\_\_

III. REASON FOR BOUNDARY CHANGE

A. ORS 199.462 of the Boundary Commission Act states: "When reviewing a boundary change, a boundary commission shall consider economic, demographic, and sociological projections pertinent to the proposal, and past and prospective physical developments of land that would directly or indirectly be affected by the proposed boundary change." Considering these points, please provide the reasons the proposed boundary change should be made. Please be very specific. Use additional pages if necessary.

\_\_\_\_\_

\_\_\_\_\_

B. If the reason is to obtain specific municipal services such as water service, sewerage service, fire protection, etc., please indicate the following:

1. Proximity of facilities (such as water mains, sewer laterals etc.) to the territory to be annexed. (Please indicate location of facilities--for example: 8" water main in Durham Rd. 500 ft. from east edge of territory.)

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2. When the service or services can be reasonably provided by the city or district.

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3. What is the estimated cost of extending such facilities and/or services and what is to be the method of financing? (Attach any supporting documents)

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4. If any other unit of local government can provide the desired service (Please indicate the government)

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#### IV. EXISTING GOVERNMENTAL SERVICES IN THE TERRITORY

A. If the territory described in the proposal is presently included within the boundaries of any of the following types of governmental units, please so indicate by stating the name or names of the governmental units involved:

City	_____	Rural Fire Dist.	_____
County Serv. Dist.	_____	Sanitary Dist.	_____
Ilwy. Lighting Dist.	_____	Water District	_____
Park & Rec. Dist.	_____		

B. If any of the above units are presently servicing the territory (for instance, are residences in the territory hooked up to a public sewer or water system), please so describe.

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NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

AGENCY: \_\_\_\_\_

DATE: \_\_\_\_\_

MEETING SCHEDULE

(Jan. - Dec. 1974)

DATE OF PUBLIC HEARING	LAST DAY TO SUBMIT
JANUARY 9, 1974 . . . . .	December 7, 1973
FEBRUARY 6, 1974 . . . . .	January 4, 1974
MARCH 6, 1974 . . . . .	February 1, 1974
APRIL 3, 1974 . . . . .	March 1, 1974
MAY 1, 1974 . . . . .	March 29, 1974
MAY 29, 1974 . . . . .	April 26, 1974
JUNE 26, 1974 . . . . .	May 24, 1974
JULY 24, 1974 . . . . .	June 21, 1974
AUGUST 21, 1974 . . . . .	July 19, 1974
SEPTEMBER 18, 1974 . . . . .	August 16, 1974
OCTOBER 16, 1974 . . . . .	September 13, 1974
NOVEMBER 13, 1974 . . . . .	October 11, 1974
DECEMBER 11, 1974 . . . . .	November 8, 1974
Remainder of 1973	
OCTOBER 17, 1973 . . . . .	September 14, 1973
NOVEMBER 14, 1973 . . . . .	October 12, 1973
DECEMBER 12, 1973 . . . . .	November 9, 1973

NOTE: The Commission will endeavor to follow this schedule but reserves the right to change dates or times of meetings if work load problems and other circumstances require it. The place of each meeting is not scheduled in advance due to the Commission's desire to hold its public hearings if possible in the area where the petitions originate. At the deadline date for submission of completed petitions, all proposals are analyzed and a location determined.

on May 1, with all corrections, and additions to the roll which have to the date the roll is delivered to the collector pursuant to ORS 311.115.

The assessment and tax roll shall be printed in full, as of the June 30 which is the end of the fiscal year for which the roll is prepared. As of each June 30, thereafter, the collector shall print out those accounts selected in full or canceled as of the end of the June 30. The printout shall contain a list of all payments, corrections, additions and deletions which have occurred since the date of the last printing of the roll.

The printouts required by subsection (1) of this section shall constitute the roll or proof as of the date of the particular assessment. Such printouts and the source documents which are the basis for the roll shall be preserved as otherwise provided by law. The printouts which are not available to and cannot be obtained by the general public and which constitute the roll up to the date of the last printing may be destroyed one year after the date the roll is made.

Additional printouts shall be made by the collector or tax collector as he deems necessary for proper administration of the tax assessment.

§4 (308.217, 308.219 and 308.221 enacted in 1975 c.780 §4)

§3 (Amended by 1957 c.324 §3; repealed by 1975 c.780 §2 (308.217, 308.219 and 308.221 enacted in 1975 c.780 §2))

**308.217 Assessor to establish code areas and consolidated rate percent of levy;** Each year the county assessor shall establish a system of code areas, identified by numbers, which shall represent all of the combinations of taxing agencies as of the end of that year in which a piece of property is located in the county on the previous June 30. The assessor shall compute a consolidated rate percent of levy for each such area and shall indicate on the assessment roll the code area number for each item of property assessed. In addition, he shall compile and publish a list of all code areas and numbers and identify for each area the taxing agency in the area, the rate percent of levy of each such agency and the consolidated rate for the area. The list shall constitute a part of the certificate prepared under ORS 311.105, to be delivered to the clerk and to the tax collector.

§5 (308.217, 308.219 and 308.221 enacted in 1975 c.780 §5)

**308.225 Boundary change or proposed boundary change filed after March 31 disregarded.** (1) In preparing the assessment roll in any year, a county assessor shall disregard changes in the boundary lines of any taxing district levying ad valorem taxes as described in subsection (3) of this section or proposed changes described in subsection (4) of this section if the description and map showing changes or proposed changes are not filed with him in final approved form, in accordance with and at the time required by subsection (2) of this section.

(2) Whenever a boundary change is made or proposed, the person, governing body, officer, administrative agency or court making the determination that the boundary change is final shall file with the county assessor and the Department of Revenue the legal description of the boundary change or proposed change and an accurate map showing the change or proposed change in final approved form, prior to the next March 31. The description of the boundary change shall be capable of closure, in that the series of courses shall start at a point of beginning and the final course shall end at that point of beginning. The map shall be provided to the filing body by the county assessor or the department within 14 days of being notified by the filing body that a boundary change is being proposed. The boundary line shall then be accurately entered thereon by the person, body, officer or agency making the filing. If the description and map require approval of the Department of Revenue under subsection (5) of this section because not certified as provided therein, the initial filing shall be made not later than February 15 of such year, and in final approved form not later than March 31 of such year. Proposed boundary changes shall be certified to the county assessor and the department in the same manner as boundary changes. If the taxing district is located in more than one county, the description and map shall be filed with the assessor in each county and with the department within the time provided in this subsection.

(3) For purposes of this section, boundary change means the change that occurs in the boundaries of a district by reason of:

- (a) The formation of a new district;
- (b) The consolidation or merger of two or more districts or parts thereof;
- (c) The annexation of territory by a district;

Chuck  
Here is a  
copy of the  
statute  
with pertinent  
sections  
highlighted  
DG

(d) The withdrawal of territory from a district; or

(e) The dissolution of a district.

(4) For the purposes of this section, a proposed change means a boundary change which has not become final or effective by March 31, but which is certain to become final or effective prior to July 1 of the same year.

(5) The description of the boundary shall be certified as closing by either a:

(a) Registered land surveyor, or

(b) Registered engineer.

If not so certified, each description and map filed under subsection (2) of this section shall be submitted to the Department of Revenue and approved or disapproved within 30 days of receipt.

(6) Within five days of its determination, the Department of Revenue shall mail to each county assessor with whom a filing has been made and to the filing body notice of its approval or disapproval under subsection (5) of this section. If disapproved, the department shall explain what steps must be taken to correct the description or map, and shall cooperate with the filing body in helping it meet the requirements of subsection (5) of this section, and whenever possible, the filing date of March 31. Corrected descriptions and maps must then be resubmitted to the department, and approved, and filed with the assessor or assessors.

(7) The filing of the description and map under this section is for assessment and taxation purposes only and does not affect or relate to filing for any other purpose.

[Amended by 1965 c.411 §1; 1960 c.151 §1; 1973 c.501 §1; 1975 c.595 §1]

Note: Section 4, chapter 287, Oregon Laws 1977, provides:

Sec. 4. Notwithstanding ORS 308.225, to permit chapter 60, Oregon Laws 1977 (Enrolled House Bill 2218), to be operative for the 1977-1978 fiscal year, county service districts organized in 1977 shall have until August 1, 1977, to file with the county assessor the information and documents required under ORS 308.225. When that information is filed on or before August 1, 1977, under this section the county assessor shall recognize the boundary change for the 1977-1978 tax roll.

308.230 [Repealed by 1969 c.454 §2]

**308.231 Only certified appraisers to appraise real property.** Appraisals of real property made after January 1, 1957, pursuant to ORS 308.230, shall be performed by a certified appraiser.

[1955 c.575 §2]

**308.232 Value at which property is to be assessed.** All real or personal property within each county shall be assessed at 10 percent of its true cash value.

[1953 c.701 §2; 1959 c.519 §1; 1961 c.243 §1; 1967 c.86]

**308.234 Record of last appraisal; real property appraised at least once every six years.** The county assessors shall preserve in their respective offices records to show when each parcel of real property was last appraised. Each parcel of real property shall be appraised at least once every six years to insure that equality of taxation according to law shall be secured.

[1955 c.575 §1; 1967 c.105 §1; 1967 c.293 §8]

**308.235 Valuation of land.** Taxable real property shall be assessed by a method which takes into consideration the applicable land use plans, including current zoning and other governmental land use restrictions, the improvements on the land and in the surrounding country and also the use, earning power and usefulness of such improvements and any rights or privileges attached thereto or connected therewith, the quality of the soil and the natural resources in, on or connected with the land, its conveniences to transportation lines, public roads and other local advantage of a similar or different kind. Where land is situated within an irrigation, drainage, reclamation or other improvement district, the value of the land shall not be deemed to be increased until the construction and improvement of the district have been completed to the point that water may be delivered to or removed from the land, as the case may be.

[Amended by 1953 c.701 §2; 1957 c.324 §4; subsections enacted as 1967 c.601 §12; 1969 c.601 §14; 1975 c.671 §1]

**308.236 Land and timber values to reflect presence of roads; roads themselves not assessed; exception for certain timber roads.** (1) The availability, usefulness and cost of using roads, including all roads of the owner of land or timber, and all roads which such owner has the right to use, shall be taken into consideration in determining the true cash value of land, the immediate harvest value of timber in eastern Oregon as defined in subsection (3) of ORS 321.430 and the stumpage value of timber in western Oregon as defined in subsection (5) of ORS 321.257.

(2) Roads themselves, except principal exterior timber access roads, shall not be appraised, valued or assessed and they shall not be classed as improvements under ORS 308.215. The underlying land upon which

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File # 110 E.8

## MEASURE NO. 6

Reorganizes Metropolitan Service District, Abolishes CRAG

Referred to the Electorate of Oregon by the 1977 Legislature, to be voted on at the Primary Election, May 23, 1978.

### Be It Enacted by the People of the State of Oregon:

**SECTION 1.** The Legislative Assembly hereby finds that there exists a proliferation of regional governments in the Portland metropolitan area, leading to duplication of public services overlapping jurisdictions and a confusion and unfamiliarity by citizens as to the governmental decisions affecting their lives and property; and hereby declares that the purpose of this Act is to provide for the consolidation of those regional governments and to establish an elected governing body and thereby to increase the accountability and responsiveness of regional government officials to the citizenry through the election process.

Section 2. ORS 268.020 is amended to read:

268.020. As used in this chapter:

(1) "Council" means the governing body of a district.

[(1)] (2) "District" means a metropolitan service district established under this chapter.

[(2)] (3) "Metropolitan area" means [the Oregon portion of a standard metropolitan statistical area designated by an agency of the United States.] that area which lies within the boundaries of Clackamas, Multnomah and Washington Counties.

[(3)] (4) "Improvement" means the facilities and other property constructed, erected or acquired by and to be used in the performance of services authorized to be performed by a district.

(5) "Metropolitan significance" means having major or significant district-wide impact.

Section 3. ORS 268.030, as amended by section 16, chapter 95, Oregon Laws 1977, is further amended to read:

268.030. (1) This chapter is enacted in order to provide a method of making available in metropolitan areas public services not adequately available through previously authorized governmental agencies.

(2) To this end not more than one district may be established under this chapter in any metropolitan area.

(3) Subject to the limitations of state law, the district may provide:

(a) Metropolitan aspects of sewerage, solid and liquid waste disposal, control of surface water, [and] public transportation, water supply, human services, parks and recreation, cultural facilities, libraries, correctional facilities and correctional programs; and

(b) Metropolitan zoo facilities; and

(c) Local aspects of those public services authorized by paragraphs (a) and (b) of this subsection that are transferred to the district by agreement between the district and other public corporations, cities or counties[.]; and

(d) By contract, metropolitan and local aspects of services authorized under this chapter to areas outside the district boundaries.

(4) A district, where formed, shall provide for those aspects of land use planning having metropolitan significance.

**SECTION 4.** ORS 268.200 is repealed and sections 5 to 8 and 10a of this Act are enacted in lieu thereof.

**SECTION 5.** (1) The governing body of a district shall be a council consisting of 12 part-time councilors, each elected on a nonpartisan basis from a single subdistrict within the boundaries of the metropolitan service district. Each councilor shall be a resident of the subdistrict from which the councilor is elected and shall not be an elected official, or a candidate for office, of any other public body. The term of office for a councilor shall be four years beginning on the first Monday in January of the year next following the election. A vacancy in office shall be filled by a majority of the remaining members of the council. The councilor, before taking office, shall take an oath to support the Constitution of the United States, and the Constitution and laws of this state. Candidates for councilor positions shall be nominated and elected at the primary and general elections as provided in subsections (4) to (7) of this section.

(2) The size and area of each subdistrict shall be determined by the Secretary of State within 60 days of the effective date of this 1977 Act in a manner providing for substantially equal population in each subdistrict based on the most recent state census. Area within each subdistrict shall be contiguous. In apportioning for subdistricts the Secretary of State shall give consideration to existent precincts and maintaining historic and traditional communities as opposed to following existent city, county or special district boundaries or the political boundaries of state representative or state senate election districts except when these political boundaries coincide with natural boundaries. The Secretary of State shall reapportion the subdistricts after each United States decennial census data is compiled and released.

(3) At the first election of councilors, six councilors shall be elected for two-year terms to expire January 1, 1981, and six councilors shall be elected for four-year terms to expire January 1, 1983. The Secretary of State, within 60 days after the effective date of this 1977 Act, shall determine by lot which subdistricts shall initially have councilors serving two-year terms and which shall have councilors serving four-year terms. The term of office for a councilor following the election for the council's formation shall be four years.

(4) The names of all candidates for the office of councilor shall be presented for nomination by individual nominating petitions or by declaration of candidacy and the payment of the required fees. The filing officer for petitions of nomination and declarations of candidacy is the Secretary of State. In any petition filed by or on behalf of, or declarations of candidacy made by, a candidate for nomination to the office of councilor at the primary election no reference shall be made to any political party ballot or to the political party affiliation of a candidate. There shall not be attached to or contained in a petition or declaration of candidacy any statement other than the name of the subdistrict in which the candidate resides, a statement, not exceeding 12 words, of the candidate's qualifications and experience, and a declaration by the candidate that, if nominated and elected,

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the candidate will qualify for the office. The number of signatures within the subdistrict required for a nomination is that required under subsection (2) of ORS 252.810, but the requirement that the petition contain signatures of persons residing in a number of precincts shall not apply.

(5) (a) At all primary elections at which candidates for councilor are to be nominated, the county clerk shall prepare and furnish a ballot entitled "Council, Metropolitan Service District, Subdistrict No. \_\_\_\_\_" upon which the names of the candidates for the office shall be placed without any political party designation. The ballot shall also contain a space in which the elector may write the name of any other person for whom the elector wishes to vote. Following the name of each candidate shall be a statement, not exceeding 12 words, of the candidate's qualifications and experience, if a statement was included in the petition or declaration. A ballot shall be delivered to each elector desiring to vote, regardless of political party affiliation. Except as provided in paragraph (b) of this subsection, the two candidates receiving the highest number of votes as nominees for councilor shall be declared the nominees, and their names shall appear on the ballot at the general election.

(b) When a candidate for nomination receives a majority of all votes cast at the primary election for that office, the candidate shall be deemed elected to the office.

(6) At the general election the county clerk shall prepare and furnish a ballot entitled "Council, Metropolitan Service District, Subdistrict No. \_\_\_\_\_" On the ballot there shall be printed the names of candidates nominated as provided by subsection (5) of this section. The names shall be printed upon the ballot without any party designation. Following the name of each candidate shall be a statement, not exceeding 12 words, of the candidate's qualifications and experience. The statement shall be the same as appeared on the primary election ballot, or if the candidate wishes, a new statement submitted to the Secretary of State not later than the 70th day before the general election. The ballot may be on the same sheet as the general ballot used at the election. The ballot shall also contain a space in which the elector may write the name of any other person for whom the elector wishes to vote.

(7) All election laws relating to the nomination and election of nonpartisan candidates for office under ORS chapter 252 apply to the nomination and election of councilors, except where in conflict with this section. When there is more than one candidate for the office of councilor from one subdistrict at either the primary or general election the names of the candidates shall be rotated on the ballot in the same manner as names of candidates are rotated on the ballot in partisan primary and general elections. The filing officer for contribution and expenditure statements is the Secretary of State.

**SECTION 5a.** (1) The nomination and election of the initial councilors and executive officer shall be as provided in this section. The nominations and elections shall be on a nonpartisan basis, and candidates receiving a plurality of votes cast for the position shall be elected. This election shall be conducted at the 1978 general election under ORS chapter 259 with the exceptions that:

(a) The filing fee for a declaration of candidacy for councilor is \$25.

(b) The filing fee for a declaration of candidacy for executive officer is \$100.

(c) The number of signatures within the district or subdistrict required for a nomination petition is that required under subsection (2) of ORS 252.810, but the requirement that the petition contain signatures of persons residing in a number of precincts shall not apply.

(d) The filing officer for petitions of nomination, declarations of candidacy, and contribution and expenditure statements is the Secretary of State.

(e) The final filing date for candidacy is the 70th day before the general election. The Secretary of State shall certify the names of candidates to the county election officers not later than the 61st day before the general election.

(f) Following the name of each candidate on the ballot shall be a statement, not exceeding 12 words, of the candidate's qualifications and experience, if the statement was included in the petition or declaration.

(2) Notwithstanding section 6a of this 1977 Act, the cost of elections to nominate or elect councilors or the executive officer in 1978 shall be paid by the participating counties.

**SECTION 6.** The council may adopt and enforce rules of procedure governing its proceedings in accordance with this chapter. At its first meeting after January 1 of each year, one councilor shall be elected by the council to serve as its presiding officer for the ensuing year. The council shall meet upon the request of the presiding officer or that of a majority of the council. Notwithstanding the provisions of ORS 198.190, councilors shall receive no other compensation for their office than a per diem for meetings, plus necessary meals and travel expenses as determined by the council.

**SECTION 6a.** (1) The cost of elections to nominate or elect councilors or the executive officer shall be paid by the district.

(2) When a district election is held on a district measure, the election shall be conducted under ORS chapter 259.

**SECTION 7.** (1) District business shall be administered, and district rules and ordinances shall be enforced, by an executive officer.

(2) The executive officer shall be elected in the same manner provided under section 5 of this 1977 Act, but the officer shall be elected from the district-at-large on a nonpartisan basis. The number of signatures within the district required for nomination is that required under subsection (2) of ORS 252.810, but the requirement that the petition contain signatures of persons residing in a number of precincts shall not apply. The executive officer shall be a resident of the district and shall not be an elected official, or a candidate for office, of any other public body. The term of office for an executive officer shall be four years beginning on the first Monday in January on the next year following the election. A vacancy in office shall be filled by appointment by a majority of the council. The executive officer, before taking office, shall take an oath to support the Constitution of the United States and the Constitution and laws of this state.

(3) The executive officer shall serve full time and shall not be employed by any other person or governmental body while serving the district. The executive officer shall not serve as a member of the council.

(4) The salary and employment benefits of the executive officer for the first two years following the election and assumption of office of the first executive officer under this 1977 Act shall be equal to the salary and employment

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benefits of a district court judge of this state. Subsequently, the compensation shall be set by the council upon the recommendation of a salary commission to be appointed by the council, but shall not be less than that of a district court judge of this state.

(5) The executive officer may hire any personnel and contract with any person or governmental agency to assist in carrying out the duties and powers under this 1977 Act, subject to personnel rules adopted by the council.

**SECTION 8.** (1) The executive officer shall present to the council plans, studies and reports prepared for district purposes and may propose to the council for adoption such measures as deemed necessary to enforce or carry out the powers and duties of the district, or to the efficient administration of the affairs of the district.

(2) The executive officer shall keep the council fully advised as to its financial condition, and shall prepare and submit to the council the district's annual budget for its approval, and any other financial information the council requests.

(3) The executive officer shall perform all other duties as may be prescribed by the council.

Section 9. ORS 249.271 is amended to read:

249.271. (1) At the time of filing his declaration of candidacy a candidate shall pay to the official with whom the declaration is filed a fee based upon the office he is a candidate for as follows:

(a) United States Senator, \$150.

(b) Offices to be voted for in the state at large, except national committeeman or national committeewoman, \$100.

(c) Representative in Congress to be voted for in a congressional district, \$100.

(d) Circuit court judge and district offices of districts composed of more than one county, except State Senator [and], Representative in the Legislative Assembly, and executive officer or councilor of a metropolitan service district, \$50.

(e) County offices, including district attorney and district court judge, but excepting district offices within the county, \$50.

(f) State Senator or Representative in the Legislative Assembly, \$25.

(g) National committeeman or national committeewoman, \$15.

(h) District offices within the county, except district attorney and district court judge, \$10.

(i) Executive officer of a metropolitan service district under ORS chapter 268, \$100.

(j) Councilor of a metropolitan service district under ORS chapter 268, \$25.

(2) The official with whom a declaration of candidacy is filed, upon request received on or before the last day for withdrawal under ORS [249.280] 249.150, shall refund the filing fee of any candidate who dies, withdraws or for any reason becomes ineligible for the nomination on or before such day.

Section 10. ORS 268.310, as amended by section 17, chapter 95, Oregon Laws 1977, is further amended to read:

268.310. A district may, to carry out the purposes of this chapter:

(1) Acquire, construct, alter, maintain and operate interceptor, trunk and outfall sewers and pumping stations and facilities for treatment and disposal of sewage as defined in ORS 468.700 and engage in local aspects of sewerage transferred to the district by agreement with other public corporations, cities or counties in accordance with this chapter.

(2) Subject to the requirements of ORS 459.005 to 459.045, 459.065 to 459.105, 459.205 to 459.285 and subsections (1) to (3) of 459.992, dispose, and provide facilities for disposal, of solid and liquid wastes.

(3) Control the flow, and provide for the drainage, of surface water, by means of dams, dikes, ditches, canals and [similar] other necessary improvements or by enlarging, improving, cleaning or maintaining any natural or artificial waterway or by requiring property owners to install and maintain water control or retention systems.

(4) Provide public transportation and terminal facilities for public transportation, including local aspects thereof transferred to the district by one or more other public corporations, cities or counties through agreements in accordance with this chapter.

(5) Acquire, construct, alter, maintain, administer and operate metropolitan zoo facilities.

**SECTION 10a.** If either a tax base or income tax has been authorized the district by its voters under ORS 268.315 or section 22 of this 1977 Act a district may also:

(1) Acquire, develop, construct, alter, maintain and operate metropolitan aspects of water supply and distribution systems including local aspects of systems of persons, public corporations, cities or counties transferred to the district by agreement in accordance with this chapter.

(2) Plan, coordinate and evaluate the providing of human services, including but not limited to, programs for the aging, health care, manpower, mental health and children and youth.

(3) Acquire, develop, maintain and operate a system of parks, open space, and recreational facilities of metropolitan significance.

(4) Acquire, develop, construct, maintain and operate facilities for cultural, convention, exhibition, sports and entertainment purposes of metropolitan significance.

(5) Provide facilities for metropolitan aspects of criminal and juvenile detention and programs for metropolitan aspects of adult and juvenile justice and, by agreement, local aspects of jails, corrections programs and juvenile justice in accordance with this chapter.

(6) Provide metropolitan aspects of library activities including, but not limited to, book acquisition and technical assistance for local libraries.

(7) Notwithstanding any provision of this section, a district may not acquire any property owned by any city or county except by agreement with the city or county.

Section 11. ORS 268.320, as amended by section 18, chapter 95, Oregon Laws 1977, is further amended to read:

268.320. (1) The voters of a district may, from time to time, and in exercise of their power of the initiative, or by approving a proposition referred to them by the governing body of the district, authorize the district to assume additional functions and determine the number, qualifications and manner of selecting members of the governing body of the district.



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(2) Local aspects of the functions authorized by subsection (1) of this section may be assumed only on the basis of agreements between the district and other public corporations, cities or counties.

(3) The voters of a district may, in exercise of their power of initiative, or by approving a proposition referred to them by the governing body of the district, authorize a transfer of all the duties, functions and powers of the boundary commission formed within the metropolitan area under ORS 199.410 to 199.512 to the district.

Section 12. ORS 268.360, as amended by section 4, chapter 95, Oregon Laws 1977, is further amended to read:

268.360. (1) For purposes of its authorized functions a district may exercise police power and in so doing adopt such ordinances[,] and rules[, and regulations] as a majority of the members of its governing body considers necessary for the proper functioning of the district. All legislative acts shall be by ordinance and all such ordinances shall be adopted in the manner provided in ORS chapter 198, except where in conflict with this section. The district shall be considered an agency for the purposes of ORS chapter 183.

(2) Unless otherwise specified by the governing body in the ordinance, an ordinance shall become effective upon its adoption. If a proper referral petition containing the appropriate number of valid signatures is filed within 90 days after the adoption of any ordinance by the governing body, except ordinances making appropriations or effecting an annual tax levy, the ordinance shall become inoperative and the effective date shall be suspended. An ordinance referred by action of the voters shall become effective when approved by a majority of the voters voting on the question.

(3) Notwithstanding ORS 198.580, a number of signatures of qualified voters equal to but not greater than four percent of the total number of all votes cast in the district for all candidates for Governor at the election at which a Governor was elected for a term of four years next preceding the filing of the petition shall be required to order a referendum on district legislation or a part thereof. A number of signatures equal to but not greater than six percent of the votes cast for Governor in the district shall be required for a petition to propose an initiative ordinance.

[(2)] (4) In addition to the provisions of ORS 268.990, violation of the district's ordinances or rules may be enjoined by the district upon suit in a court of competent jurisdiction.

[(3)] (5) In addition to any other penalty provided by law, any person who violates any ordinances or order of the district pertaining to one or more of its authorized functions shall incur a civil penalty not to exceed \$500 a day for each day of violation.

[(4)] (6) The civil penalty authorized by subsection [(3)] (5) of this section shall be established, imposed and collected in the same manner as civil penalties are established, imposed and collected under ORS chapter 468.

SECTION 13. Sections 14 to 23a of this Act are added to and made a part of ORS chapter 268.

SECTION 14. Subject to annexation or withdrawal of territory under ORS 198.705 to 198.955, the boundaries of a metropolitan service district shall be: Beginning at a point along the north boundary of the State of Oregon at the intersection of said boundary with the center line of the Willamette River; thence easterly along said north boundary to its intersection with the east line of Section 20, T1N, R4E, W.M.; thence south leaving said state boundary tracing the east line of Sections 20, 29 and 32, T1N, R4E, W.M.; thence continuing south along the east line of Sections 5, 8, 17 and 20, T1S, R4E, W.M.; to the intersection of said line with the boundary between Multnomah and Clackamas Counties, Oregon; thence west along said county line to the center line of Old Loop Road; thence southeasterly along Old Loop Road to its intersection with 312th Avenue, S.E.; thence south along 312th Avenue, S.E. to its intersection with the south line of Section 5, T2S, R4E, W.M.; thence west tracing the south line of Sections 5 and 6, T2S, R4E, W.M.; thence continuing west along the south line of Sections 1 and 2, T2S, R3E, W.M. to the southwest corner of Section 2, T2S, R3E, W.M.; thence south along the east line of Section 10, T2S, R3E, W.M.; to the southeast corner of Section 10, T2S, R3E, W.M.; thence west along the north line of Sections 15, 16, 17 and 18, T2S, R3E, W.M. to the northwest corner of Section 18; thence south along the west line of T2S, R3E, W.M. to its intersection with the center line of the Clackamas River; thence downstream along said center line to its intersection with the west line of Section 21, T2S, R2E, W.M.; thence southerly along said west line of Section 21 to its intersection with the southerly right-of-way line of the South Clackamas River Road (Market Road No. 28); thence southeasterly along the southerly boundary of the South Clackamas River Road 483 feet, more or less, to its intersection with the northerly extension of the east line of Hawarden Subdivision; thence southerly along said extended line and the east line of Hawarden Subdivision to the north line of James Winston Donation Land Claim No. 69 in Section 21, T2S, R2E, W.M.; thence westerly along the north line of said Donation Land Claim to the westerly northwest corner; thence southerly along the west line of Donation Land Claim No. 69 to the southwest corner; thence southeasterly along the south line of said Donation Land Claim No. 69 to the northerly right-of-way line of Forsythe Road (County Road No. 374); thence easterly along the northerly right-of-way line of said Forsythe Road to its intersection with the extended westerly line of Lot 8 of Harding Walden Tracts; thence southerly along said west line to the southwest corner of Lot 8; thence easterly along the north line of Lots 17, 16, 15, 14 and 13 to the northeast corner of Lot 13 of said Harding Walden Tracts; thence southerly along the east line of said Lot 13 5 feet, more or less, to the southwest corner of a tract of land (Tax Lot 2 2E 21D 1200) deeded to May Pletz c/o John O. and Kathleen C. Beirwagen, Deed Reference 74-1625; thence easterly a distance of 335 feet, more or less, along the southerly boundary of said tract to the southwest corner of a tract of land (Tax Lot 2 2E 21D 1300) deeded to May Pletz, Deed Reference 74-1625; thence continuing easterly along the southerly boundary of (Tax Lots 2 2E 21D 1300 and 1403) to the southeast corner of said Tax Lot 1403, said point being on the west boundary of Tax Lot 2 2E 21D 1900; thence south along the west boundary of Tax Lot 2 2E 21D 1900 to the southwest corner of said Tax Lot 1900, said point also being the northwest corner of that tract of land (Tax Lot 2 2E 21D 1901), deeded to School District No. 62, Deed Reference

71-16239; thence easterly along the northerly boundary of said tract a distance of 660 feet to the northeast corner of said tract; thence northerly along the east boundary of Tax Lot 2 2E 21D 1900 to the northwest corner of Lot 4 Winston Acres; thence easterly along the northerly boundary of Lot 4, to the northeast corner of Lot 4 Winston Acres; thence northerly along the west boundary of Lot 13 Winston Acres, to the northwest corner of said Lot 13; thence southeasterly along the northeasterly boundary of Winston Acres a distance of 946.01 feet; thence southerly along the easterly boundary of Winston Acres a distance of 140 feet, more or less, to the southeast corner of Lot 12, Winston Acres; thence easterly a distance of 20 feet to the common corner of Sections 21, 22, 27 and 28, T2S, R2E, W.M.; thence easterly along the north boundary of said Section 27 a distance of 1417.68 feet, more or less, to a point, being the northwest corner of that tract of land (Tax Lot 2 2E 27B 200), deeded to Marjorie E. Haberlach and recorded in Book 513, Page 656; thence southerly a distance of 1915.09 feet, more or less, along the westerly boundary of said tract and the southerly extension of said westerly boundary to a point on the center line of Holcomb Road; thence north 72 degrees 30 minutes west along said center line a distance of 70 feet, more or less, to a point of intersection of said center line with the northerly extension of the easterly boundary of that tract of land (Tax Lot 2 2E 27B 1400) deeded to Donald L. Curtis and Margaret Curtis, Deed Reference 69-14726; thence south 17 degrees 30 minutes west 348.06 feet, more or less, along said extension and said easterly boundary to a point being the southeast corner of said tract; thence north 72 degrees west 305 feet, more or less to the southwest corner of said tract; thence north 00 degrees 02 minutes east 335 feet, more or less, to the northwest corner of said Curtis tract; thence north 72 degrees 30 minutes west 25 feet, more or less, to a point being the northwest corner of that tract of land (Tax Lot 2 2E 27B 1300) deeded to Park Place Water District and recorded in Volume 456, Page 528; thence south 00 degrees 02 minutes east 874 feet, more or less, to the east-west center line of Section 27, T2S, R2E, W.M.; thence westerly along said center line to a point which is south 89 degrees 19 minutes 44 seconds west 70.85 feet from the quarter corner on the line between Sections 28 and 27, T2S, R2E, W.M.; thence north 89 degrees 27 minutes west 659.76 feet to the northwest corner of Tax Lot 2 2E 28D 190, said point being on the east line of the George Abernethy Donation Land Claim No. 58; thence south 08 degrees 00 minutes west along said east line of Donation Land Claim No. 58 to the northeast corner of Tax Lot 2 2E 28D 1490; thence westerly 670 feet, more or less, along the northerly boundary of said Parcel 1490 to the northwest corner of said Parcel 1490; thence southerly along the west line of said Parcel 1490 683.10 feet, said point being the southeast corner of Tax Lot 2 2E 28D 1300; thence westerly 613.14 feet along the southerly boundary of said Parcel 1300 to the southwest corner of said Parcel 1300; thence northerly along the west boundary of said Parcel 1300 60 feet, more or less, to the northeast corner of a tract of land (Tax Lot 2 2E 28D 900) deeded to F. S. and Hazel Edmiston as recorded in Book 592, Pages 384 and 385; thence north 89 degrees 50 minutes west 372.0 feet to the northwest corner of said Parcel 900; thence south 02 degrees 45 minutes west 542.5 feet, more or less, along said tract to an interior corner of said tract; thence north 76 degrees 15 minutes west along the boundary of said tract a distance of 91.74 feet; thence southerly along the westerly boundary, and its

southerly extension, of said tract a distance of 250 feet, more or less, to a point on the center line of Market Road No. 20; thence westerly along said center line 300 feet, more or less, to a point of intersection of said center line with the northerly extension of the easterly boundary of that tract of land (Tax Lot 2 2E 33 900) deeded to Bruce C. Yoder, Deed Reference 68-18053; thence southerly 235 feet, more or less, along said extension and said easterly boundary to the southeast corner of said tract; thence southeasterly 450 feet, more or less, along the easterly boundary of a tract of land (Tax Lot 2 2E 33 1000) deeded to Murl and Margie F. Yoder as recorded in Book 476, Page 724 to the most southerly point of said tract; thence north 59 degrees 15 minutes west 210 feet, more or less, to a point on the easterly right-of-way line of County Road No. 312; thence southerly 20 feet, more or less, along said right-of-way line to a point being the northwest corner of that tract of land (Tax Lot 2 2E 33 1100) deeded to Clairmont Water District and recorded in Book 589, Page 637; thence south 59 degrees 50 minutes east 425 feet, more or less, to the northeast corner of that tract of land (Tax Lot 2 2E 33 1290) deeded to James L. and Frona M. Garvison as recorded in Book 484, Page 128; thence southeasterly along the easterly boundary, and its extension, of said tract, a distance of 580 feet, more or less, to a point, said point being the northwest corner of Tax Lot 2 2E 33 1600; thence southerly 600 feet, more or less, along the west boundary of said Parcel 1600, to the southwest corner of said Parcel 1600; thence easterly along the south boundary of said Tax Lot 1600 330 feet, more or less, to the northwest corner of Tax Lot 2 2E 33 2200; thence south 00 degrees 10 minutes east 1740 feet, more or less, along the west boundary of said Parcel 2200, to the southwest corner of said Parcel 2200, said point also being on the north line of Donation Land Claim No. 45; thence north 88 degrees 00 minutes east 485 feet, more or less, along the north line of said Donation Land Claim No. 45 to the northwest corner of Tax Lot 2 2E 33 7500; thence south 00 degrees 15 minutes east 801.9 feet along the west boundary of said Parcel 7500 to the southeast corner of Tax Lot 2 2E 33 7100; thence westerly 359.1 feet along the south line of said Parcel 7100 to the northeast corner of Tax Lot 2 2E 33 7000; thence south 06 degrees 00 minutes west 1778.4 feet to the southeast corner of Tax Lot 3 2E 4B 1100; thence south 79 degrees 30 minutes west 10.0 feet, more or less, along the south boundary of said Parcel 1100 to the northeast corner of Tax Lot 3 2E 4B 400; thence southerly along the east boundary of said Parcel 400 to the northwest corner of Tax Lot 3 2E 4B 200; thence south 35 degrees east 1,087.45 feet, more or less, to the most easterly northeast corner of Tax Lot 3 2E 4A 801; thence southerly 236.28 feet to the northerly northwest corner of Tax Lot 3 2E 4A 1300; thence following the north and east lines of said Tax Lot, north 89 degrees 54 minutes 50 seconds east 178.2 feet, south 58 degrees east 574.2 feet, south 05 degrees 15 minutes east 625.7 feet to the center line of County Road No. 199; thence south 88 degrees west along center of said road 380 feet more or less; thence south 02 degrees 00 minutes east 1,500 feet, more or less, to the northerly line of vacated Westover Acres; thence south 89 degrees 19 minutes 40 seconds east 180 feet, more or less, to a point being the most westerly northwest corner of that tract of land (Tax Lot 3 2E 4D 1002) deeded to Jon and Leanne Marie Klebaum, Deed Reference 71-7839; thence southerly along the westerly boundary of said tract a distance of 279.88 feet, more or less, to the most southerly southwest corner of said tract; thence

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easterly along the southerly boundary of said property a distance of 250 feet, more or less, to an interior corner of said tract; thence southerly along the westerly boundary of said tract a distance of 293 feet, more or less, to the center line of County Road No. 377 (Thayer Road); thence easterly along said center line a distance of 60 feet, more or less; thence south 00 degrees 24 minutes 30 seconds west 1,003.14 feet; thence east 315.14 feet to the northeast corner of Tax Lot 3 2E 9A 800; thence south 1,659 feet more or less to the center line of John Loder Road No. 877; thence east along the center line of said road to the west line of Section 10, T3S, R2E; thence south along said section line to the north line of Tax Lot 3 2E 10C 802; thence south 89 degrees 35 minutes east 815 feet, more or less, to a point being the northwest corner of that tract of land (Tax Lot 3 2E 10C 801) deeded to Edward G. and Lois N. Roberts c/o Wayne C. Hall, Jr., Deed Reference 70-27620; thence south 00 degrees 30 minutes west along the westerly boundary of said tract 864.67 feet, more or less, to the southwest corner of said tract; thence south 89 degrees 35 minutes east a distance of 806.04 feet, more or less, to a point on the east line of the Andrew Hood Donation Land Claim No. 44; thence south 00 degrees 30 minutes west along said line a distance of 1,060 feet to the north line of Beaver Creek Road No. 11; thence south 40 degrees 45 minutes east along said road 38 feet, more or less; thence north 37 degrees 10 minutes east 445.3 feet to the southeast corner Tax Lot 3 2E 10C 100; thence north 00 degrees 45 minutes east 567.0 feet, more or less, to the south line of Section 10, T3S, R2E, W.M.; thence east along the south line of said section 1,865 feet, more or less, to the southeast corner of Tax Lot 3 2E 10D 3,500; thence south 00 degrees 30 minutes west 1,132.05 feet, more or less, to a point on the southwest corner of Lot 8, Old Acres No. 3 Subdivision; thence westerly 1,700.0 feet, more or less, to a point being the most southwest corner of that tract of land (Tax Lot 3 2E 15A 200) deeded to Joseph J. and May Rose Herberger recorded in Book 564, Page 638, said point also being on the easterly line of Market Road No. 11; thence southeasterly along said easterly line 610.0 feet, more or less, to the point of intersection of the easterly extension of the north line of Henrici Mountain and Henrici Mountain View Addition No. 2 Subdivisions; thence north 89 degrees 38 minutes west along said north line and its easterly extension, 1,148.63 feet, more or less, to a point being the most southwest corner of that tract of land (Tax Lot 3 2E 15BD 2900) deeded to Fred P. and Elizabeth T. Weaver as recorded in Book 630, Page 462, said point also being on the east line of Henrici Terrace No. 3; thence northerly 207.53 feet to a point being the northeast corner of Lot 4, Block 5, Henrici Terrace No. 3; thence westerly along the north line of said Subdivision, 1,411.21 feet to a point being the most southwest corner of that tract of land (Tax Lot 3 2E 15B 300) deeded to William V. and W. M. Luther as recorded in Book 590, Page 292 and Deed Reference 74-31796; thence northerly 155.0 feet, more or less, to the most southerly southeast corner of that tract of land (Tax Lot 3 2E 15B 200) deeded to Donald and M. Kingsborough and recorded in Book 567, Page 030 and Book 568, Page 208; thence westerly a distance of 1,562 feet, more or less; thence south 625.6 feet; thence west 914 feet, more or less, to the easterly southeast corner of Tax Lot 3 2E 16A 1500; thence north 90 feet; thence west along the north line of said Tax Lot 1,500 extended to the west line of State Highway No. 40; thence south 62 degrees 44 minutes west 654 feet, more or less, to the west line of Andrew Hood

Donation Land Claim No. 44; thence north along said Donation Land Claim line 486.4 feet; thence west 120 feet to the southwest corner of Tax Lot 3 2E 16B 2501; thence northwesterly along said Parcel 2501, and Parcel 2505, and Parcel 2502 to the northwesterly corner of a tract of land (Tax Lot 3 2E 16B 2502) deeded to Ashley and Elizabeth A. Greene, Deed Reference 72-37520; thence north 61 degrees 47 minutes 45 seconds east 75.0 feet, more or less, to the southwesterly corner of that tract of land (Tax Lot 3 2E 16B 2503) deeded to Ashley and Elizabeth A. Greene, Deed Reference 75-4871; thence northerly 310.0 feet to a point, said point being the northwesterly corner of said tract; thence south 75 degrees 45 minutes west 1,047.76 feet; thence south 89 degrees 47 minutes west 909.4 feet; thence north 14 degrees 15 minutes west to the southwest corner of Sharon Subdivision; thence north 01 degree 40 minutes west 265.7 feet to a point on the northerly right-of-way of South Caufield Road; thence north 73 degrees 46 minutes east along said right-of-way 118.5 feet; thence north 11 degrees 53 minutes west 412.1 feet; thence north 62 degrees 14 minutes east 84.85 feet; thence north 33 degrees 09 minutes east 418.2 feet; thence north 27 degrees 45 minutes east 170.6 feet; thence northeasterly 33 feet to a point on the southerly boundary of that tract of land (Tax Lot 3 2E 8D 700) deeded to Walter and Helen M. Felbrick as recorded in Book 403, Page 178; thence north 74 degrees 25 minutes east 300 feet, more or less, to the southeast corner of said tract; thence north 15 degrees 15 minutes west 590 feet, more or less, to an interior corner of said tract; thence north 74 degrees 45 minutes east along southern boundary of 50 foot wide access way of said tract 320.46 feet, more or less; thence south 44 degrees 41 minutes east 228.73 feet; thence north 59 degrees 37 minutes east 340 feet, more or less to the west right-of-way line of Highway No. 40 (Oregon City-Molalla Highway); thence northerly along said line 50 feet; thence south 59 degrees 37 minutes west 290 feet, more or less, along northern boundary of said tract and access way; thence north 44 degrees 41 minutes west 216.18 feet; thence westerly along the northerly boundary of said tract a distance of 1,500 feet, more or less, to a point which is the southwesterly corner of a tract of land (Tax Lot 3 2E 8D 605), deeded to Albert N. and Violet B. Lilly, Deed Reference 73-26598; thence north 15 degrees 10 minutes west a distance of 287 feet, more or less; thence south 74 degrees 50 minutes west a distance of 666 feet, more or less, to a point on the west line of Robert Caufield Donation Land Claim No. 53; thence south 66 degrees 44 minutes west a distance of 338.92 feet to a point on the northeasterly line of Donation Land Claim No. 45, said point being 204.25 feet north 46 degrees 45 minutes west from the easterly corner of John S. Howland Donation Land Claim No. 45; thence south 46 degrees 45 minutes east 204.25 feet to the easterly corner of said Donation Land Claim No. 45; thence southwesterly along the southerly line of said Donation Land Claim No. 45 to the south line of Section 8, T3S, R2E, W.M.; thence west along the south line of said Section 8 to the east line of Tax Lot 3 2E 8C 400; thence north 43 degrees east 585 feet, more or less, to the end of County Road No. 1690 (also the northeast corner of Tax Lot 3 2E 8C 400); thence north 46 degrees 45 minutes west 1,320 feet, more or less, to a point on the east boundary of Tax Lot 3 2E 7D 300; thence southwesterly 312 feet, more or less, along the east boundary of said Parcel 300 to the southeast corner of said Parcel 300, said point also being the northeast corner of Fir Ridge Addition;

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thence northwesterly 412.5 feet along the northerly boundary of said Fir Ridge Addition to the northwest corner of said Addition; thence south 42 degrees 30 minutes west 1,057.67 feet to the center line of County Road No. 518; thence southwesterly 1,190 feet, more or less, along the northerly extension of the southeasterly boundary of that tract of land (Tax Lot 3 2E 18 1003) deeded to Richard A. and Nancy Marugg, Deed Reference 75-9701, to a point being the northeast corner of said tract; thence north 46 degrees 15 minutes west along the northeasterly boundary of said tract a distance of 230 feet to the northerly northwest corner of said Tax Lot 1003; thence southwesterly along the westerly boundary of said Tax Lot 1003 140 feet, more or less, to the southerly southeast corner of Tax Lot 3 2E 18 1202; thence northwesterly along the south boundary of said Parcel 1202 to the north line of Section 18, T3S, R2E; thence west along said north line of Section 18 to the south line of S. S. White Donation Land Claim No. 41; thence south 32 degrees 30 minutes west along said Donation Land Claim No. 41 and the extension thereof a distance of 1,475 feet, more or less, to the southerly southeast corner of Tax Lot 3 1E 13 290; thence north 47 degrees 30 minutes west 1,214.30 feet; thence south 42 degrees 15 minutes west 398 feet; thence north 36 degrees 15 minutes west 32.2 feet; thence north 14 degrees west 235.4 feet; thence 60 degrees 15 minutes west 196.6 feet to the center of Market Road No. 24 (Central Point Road); thence northerly along the center line of said Market Road No. 24 to its intersection with the center line of Parrish Road (County Road No. 1005); thence north 42 degrees 15 minutes west along the center line of County Road No. 1005 a distance of 1,452 feet, more or less, to an angle point; thence south 42 degrees 15 minutes west along the center line of County Road No. 1005 a distance of 214.5 feet; thence south 47 degrees 31 minutes east 366.2 feet, more or less; thence south 44 degrees west 465.5 feet; thence north 47 degrees 30 minutes west 220.6 feet to the most northerly corner of a tract of land (Tax Lot 3 1E 12C 1000) deeded to Florence M. Roberts, Deed Reference 74-27174 in Section 12, T3S, R1E, W.M.; thence south 42 degrees 15 minutes west along the northwesterly boundary of said tract 2,045 feet more or less to a point of intersection with the south line of said Section 12; thence west along the south line of sections 12, 11 and 10, T3S, R1E, W.M. to the southwest corner of said Section 10; thence north along the west line of said Section 10 to the northwest corner thereof; thence west along the south line of Section 4, T3S, R1E, W.M. to the southwest corner of said Section 4; thence north along the west line of said Section 4 to the northwest corner thereof; thence west along the north line of said T3S, R1E, W.M. to its intersection with the Willamette Meridian, which is a point on the boundary between Clackamas and Washington Counties, Oregon; thence south, then west along said county line to its intersection with the city boundary of the City of Wilsonville at the quarter corner on the north line of Section 12, T3S, R1W, W.M., said point also being on the boundary line between Washington County and Clackamas County; thence southerly following said city limits line along the north-south center line of said Section 12 to its intersection with Boeckman Creek; thence southerly along Boeckman Creek to its intersection with the north right-of-way line of Boeckman (Roberts) County Road No. 80; thence easterly along the northerly right-of-way line and right-of-way line extended to the east line of said Section 12; thence southerly along the east line of said Sections 12, 13 and 24, T3S, R1W, W.M. to its

intersection with the center line of the Willamette River; thence following the center line of said Willamette River southwesterly to its intersection with the extended north-south division line of George L. Curry Donation Land Claim No. 43; thence southerly along the north-south division line of said Donation Land Claim No. 43 to the most southerly southwest corner of Tax Lot 3 1W 24 3200; thence easterly along the south boundary line of said Tax Lot 3 1W 24 3200 to the southeast corner of said Tax Lot; thence south along the east line of Tax Lot 3 1W 24 3300 and the east line extended to its intersection with the center line of the Eilers Road (J. Miley) County Road No. 567; thence west along the center line of Eilers Road to Engineers station 34 50.00; thence northerly 30 feet at right angles with the center line of Eilers Road to a point on the northerly right-of-way line; thence in a northwesterly direction along the northerly right-of-way of Eilers Road to its intersection with the easterly right-of-way line of Interstate Highway No. 5; thence leaving said Highway north 26 degrees 10 minutes east 273 feet, more or less; thence north 03 degrees 22 minutes east 326.71 feet; thence north 69 degrees 30 minutes 50 seconds west to a point on the easterly right-of-way line of Interstate Highway No. 5; thence northerly along the east right-of-way line of Interstate Highway No. 5 to the center of the Willamette River; thence westerly along the center of the Willamette River to its intersection with the extension of the westerly line of Robert V. Short Donation Land Claim No. 46 in Section 22, T3S, R1W, W.M.; thence north along the westerly line of Donation Land Claim No. 46 to the International E11 corner in said westerly line; thence north 22 degrees 41 minutes west 1,518 feet, more or less, to the center line of the Wilsonville-Newberg Market Road No. 6; thence north 63 degrees 45 minutes east along the center line of said Market Road No. 6 1,138.5 feet; thence north 3,388 feet, more or less, to a point on the north line of Robert V. Short Donation Land Claim No. 46; thence easterly along the north line of Donation Land Claim No. 46 3,452 feet, more or less; thence north 07 degrees east 427.02 feet; thence north 25 degrees 30 minutes west 505 feet, more or less; thence south 72 degrees 16 minutes west 461.8 feet; thence north 26 degrees 20 minutes west 610 feet, more or less; thence south 72 degrees 16 minutes west 197.95 feet; thence north 10 degrees 30 minutes east 178 feet, more or less; thence north 14 degrees 00 minutes west 198 feet; thence north 28 degrees 00 minutes west 116.8 feet, more or less; thence north 52 degrees 00 minutes west to the west line of section 14, T3S, R1W, W.M.; thence north along the west line of Sections 14 and 11, leaving the city limits line in Section 11 to the northwest corner of Section 11, which point is on the boundary line between Clackamas and Washington Counties; thence north along the west line of Section 2, T3S, R1W, W.M., to the northwest corner of said Section 2, T3S, R1W, W.M., said point also being the southwest corner of Section 35, T2S, R1W, W.M.; thence west along the south line of Sections 34, 33, 32 and 31 to the southwest corner of Section 31, T2S, R1W, W.M., said point also being on the Unified Sewerage Agency boundary as adopted on March 6, 1974; thence along said boundary and along the west line of Sections 31 and 30 to the northwest corner of Section 30, T2S, R1W, W.M.; thence east along the north line of Sections 30 and 29 to the north one-quarter corner of Section 29; thence south along the north-south center line of Section 29 to the center of said section; thence east along the east-west center line 2,000 feet more or less to a point on a line that is parallel

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to and northwesterly 950 feet from the center line of the Southern Pacific Railroad right-of-way; thence northeasterly and parallel to said railroad right-of-way 4,500 feet more or less to the center line of Southwest Cipole Road (County Road No. 505); thence northwesterly along said center line to the center line of Southwest Pacific Highway (99 W); thence southwesterly along said center line to the west line of Section 21, T2S, R1W, W.M.; thence north along the west line of Section 21 to the northwest corner thereof; thence east along the north line of said Section 21 to its intersection with the southerly extension of the east line of Southwest 137th Avenue; thence north along said extension and along the east line of Southwest 137th Avenue 4,500 feet more or less to the center line of Southwest Bend Road; thence westerly along said center line 2,000 feet more or less to the center line of Southwest 150th Avenue; thence north along said 150th Avenue 3,000 feet more or less to the east-west center line of Section 8, T2S, R1W, W.M.; thence west along the east-west center line to the one-quarter corner common to Sections 7 and 8; thence north along the east line of Section 7 2,640 feet more or less to the southeast corner of Section 6, said corner being on the center line of Roshak Road (County Road No. 142); thence north along the center line of said County Road No. 142 1,050 feet more or less to the center line of Bull Mountain Road No. A147 1/2; thence northerly and westerly along the center line of said Bull Mountain Road 2,900 feet more or less to the center line of Old Scholls Ferry Road No. 2156; thence northeasterly along the center line of said road 660 feet more or less to a point on the east line of Section 6, T2S, R1W, W.M.; thence north along the east line of Section 6 to the northeast corner thereof; thence west along the north line of Section 6 to the northwest corner thereof; thence north along the line common to Section 31, T1S, R1W, W.M., and Section 36, T1S, R2W, W.M., to the northeast corner of said Section 36; thence west along the north line of Sections 36 and 35, T1S, R2W, W.M., to the center line of Clark Hill Road No. 1980; thence north 420 feet more or less to the southeast corner of the Hoffman tract recorded in Book 554, Page 438, Washington County Records; thence north 86 degrees 42 minutes west 1,095 feet to the southwest corner of said tract; thence north 05 degrees 09 minutes west 1,114 feet more or less to the center line of Farmington Road No. 1553; thence northeasterly along the center line of said road 65 feet more or less to the southwest corner of the Sneed tract described in Book 923, Page 567; thence north 07 degrees 30 minutes west 1,660 feet more or less to the northwest corner of said tract; thence south 81 degrees 11 minutes east along H. Johnson Donation Land Claim No. 55 250 feet more or less to the east line of Section 27, T1S, R2E; thence north 620 feet more or less to the south boundary of Hazel Meadows Subdivision; thence east 45.68 feet to the southwest corner of Lot 32 of said subdivision; thence north approximately 1,320 feet to the northwest corner of Lot 15 of said subdivision; thence east to the center line of County Road No. 1553 (Farmington Road); thence northeasterly 10 feet more or less to southeast corner of Lingram tract, Book 78, Page 319; thence north 89 degrees 49 minutes west 544.5 feet; thence north 14 degrees 10 minutes west 192.06 feet; thence north 61 degrees 29 minutes west 1,026.30 feet; thence north 51 degrees 13 minutes west 342.2 feet; thence north 16 degrees, 08 minutes east 378.5 feet; thence south 89 degrees 36 minutes east 470.2 feet; thence north 1,697.4 feet to the southwest corner of Lot 13, Fruitdale Subdivision, also center line of Rosedale Road; thence east along center said

road to the north-south center line of Section 23, T1S, R2W, W.M.; thence north to the north one-quarter corner of Section 23; thence east along the north line of Section 23 to the center line of Southwest 209th Avenue; thence northerly along said center line 6,500 feet more or less to the northerly right-of-way of Southern Pacific Railroad; thence northwesterly along said right-of-way to the intersection of the east right-of-way 234th Avenue; thence southerly along said right-of-way to the center line of Gordon Creek; thence southwesterly along said center line to the center line of the Tualatin River; thence westerly along said river to the west boundary of R. Holbrook Donation Land Claim No. 62; thence north along said Donation Land Claim to the north-west corner of said Donation Land Claim No. 62; thence north 67 degrees 50 minutes west 353 feet along the southwesterly line of Singing Woods Plat No. 2 Subdivision to the southeasterly line of Henry Nowland Donation Land Claim No. 68; thence south 52 degrees 09 minutes west 190 feet more or less to the center line of Morgan Road; thence northwesterly along said center line to the center line of Minter Bridge County Road; thence northeasterly along Minter Bridge County Road 770 feet more or less to the southwest corner of Tax Lot 1S 2 8C 2100; thence north 77 degrees 15 minutes west 439.9 feet; thence north 07 degrees 58 minutes east 411.9 feet; thence north 85 degrees 15 minutes west 459.1 feet; thence north 01 degree 54 minutes east 459.8 feet; thence north 84 degrees 30 minutes west 693 feet; thence north 462 feet to an angle corner on the east line of George Sigler Donation Land Claim No. 42; thence northeasterly on the easterly line of said Donation Land Claim No. 42 to the northeast corner thereof and also being the south line of Donation Land Claim No. 41; thence west along the south line of Michael Moore Donation Land Claim No. 41 to the southwest corner thereof, said point also being on the city limits of the City of Hillsboro; thence southerly along said city limits, which boundary is the southerly projection of the west line of said Michael Moore Donation Land Claim No. 41, to the center of the Tualatin River; thence upstream along the center of the Tualatin River to its intersection with the west line of Section 7, T1S, R2W, W.M.; thence northerly along said section line 800 feet more or less; thence north 89 degrees 57 minutes east 570.3 feet; thence north 1,030 feet more or less; thence north 89 degrees 13 minutes west 560 feet more or less to the center line of State Highway No. 219; thence northerly along said center line to its intersection with the center line of Southwest Wood Street, said point also being on the boundary of the Unified Sewerage Agency; thence westerly along said center line to intersection of said Wood Street and Southwest Dennis Avenue; thence north 89 degrees 57 minutes west 1,000 feet; thence north 00 degrees 03 minutes east 351 feet, to a point in the center of the Southern Pacific Railroad; thence leaving the aforementioned city limits of Hillsboro and following the Unified Sewerage Agency boundary along the center line of the Southern Pacific Railroad to a point which is 858.5 feet east of the center line of Webb Road; thence south 00 degrees 10 minutes east, 1,880 feet more or less to a point 182 feet north of the south line of the W. McLinn Donation Land Claim No. 40; thence west 858.5 feet to the center of Webb Road; thence south 182 feet to a point on the south line of the said McLinn Donation Land Claim No. 40; thence west to a point that is west 40 chains from the northeast corner of the S. Emerick Donation Land Claim No. 46; thence south to the northeast corner of a tract conveyed to Walter E. and Betty J.

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Carter by Book 839, Page 193, Washington County Records, said point also being in the center of the Tualatin River; thence upstream following the center line of said Tualatin River 2,350 feet more or less to a point; thence leaving said river and running north 88 degrees 59 minutes west 326.3 feet more or less; thence south 53 degrees 02 minutes west 101.9 feet; thence south 89 degrees 30 minutes west 229.4 feet to a point in the center of County Road No. 16; thence north 111 feet to its intersection with the center line of County Road No. 316; thence west along the center line of said road to its intersection with Golf Course Road; thence south along said Golf Course Road to the south line of Nectarine Street; thence west along the south line of Nectarine Street, said line also being the south boundary of Trevor Downs Subdivision, to the southwest corner of said subdivision; thence north along the west line of said subdivision and its projection therefrom 1,422.10 feet to a point which is 20 feet south of the north line of the S. Emerick Donation Land Claim No. 46; thence west 756.03 feet; thence north 20 feet to a point which is 954.43 feet east of the southwest corner of the B. Q. Tucker Donation Land Claim No. 39; thence west 954.43 feet to said southwest corner of the B. Q. Tucker Donation Land Claim No. 39; thence west along the north line of S. Emerick Donation Land Claim No. 46 to a point on the west line of Mountain View Lane, said point also being the southeast corner of the Patterson tract described in Book 336, Page 596, Washington County Records; thence north along the west line of Mountain View Lane 1,270 feet more or less to a point which is 200 feet more or less south of the center line of the Southern Pacific Railroad, said point also being the southeast corner of the Nelson tract recorded in Book 876, Page 377; thence west 320 feet more or less to the southwest corner of said tract; thence north along the west line of said tract 45 feet to the south line of the aforesaid Southern Pacific Railroad; thence southwesterly along said south line 2,700 feet more or less to a point on the city limits of the City of Forest Grove, said point being approximately 20 feet south of the north line of the William Yates Donation Land Claim No. 44; thence leaving the Unified Sewerage Agency boundary south 80 degrees 29 minutes 52 seconds east 40.48 feet; thence south 565 feet more or less; thence south 89 degrees 16 minutes 40 seconds east 700 feet; thence north 00 degrees 44 minutes 45 seconds east 627.20 feet to the north line of the said Yates Donation Land Claim; thence south 89 degrees 16 minutes 40 seconds east 637.08 feet to the northeast corner of said Yates Donation Land Claim; thence south 00 degrees 44 minutes 43 seconds west 2,500 feet more or less to the south line of said Yates Donation Land Claim; thence north 89 degrees 39 minutes 21 seconds west along said Donation Land Claim line 900 feet more or less to the reentrant corner of said W. Yates Donation Land Claim No. 44; thence south along the southeasterly boundary of said Donation Land Claim 1,540 feet more or less to the north line of a roadway described in Book 528, Page 200, Washington County Records; thence southwesterly along said roadway 590 feet more or less to the center of Fern Hill Road; thence northerly along the center line of said Fern Hill Road to the center line of the Bonneville Power Administration right-of-way, said point being on the Unified Sewerage Agency boundary; thence leaving the city limits of Forest Grove and running southwesterly along said Unified Sewerage Agency boundary and along the Bonneville Power Administration right-of-way 6,700 feet more or less to its intersection with the center of

Gales Creek; thence northwesterly along the center of Gales Creek to a point on the east line of Section 2, T1S, R4W, W.M.; thence north along the east line of Section 2 and along the east line of Section 35, T1N, R4W, W.M., to a point which is approximately 1,950 feet north of the southeast corner of said Section 35, said point also being on the city limits of Forest Grove; thence west along the south line of a tract conveyed to Edward L. Brabham and Gordon Merrill by Book 745, Page 963, to the east line of the H. Buxton Donation Land Claim line to a point which is 1,037.75 feet south of the center line of Gales Creek Road; thence leaving the Forest Grove city limits and running northwesterly 261.4 feet; thence north 402.21 feet; thence west 761.87 feet; thence north 353 feet to the center line of the aforesaid Gales Creek Road; thence northwesterly along the center line of said road, rejoining the city limits of Forest Grove at an angle corner therein, 2,230 feet more or less to its intersection with a line, said line being 1,080 feet more or less east of the east boundary of the Watts Donation Land Claim No. 48; thence north along said line and parallel to the east line of Donation Land Claim No. 48 2,320 feet more or less to a point on the south line of a tract conveyed to Versteeg by Book 418, Page 563, Washington County Records; thence south 89 degrees 31 minutes east 250 feet more or less; thence north 68.64 feet; thence south 86 degrees 10 minutes east 480.60 feet; thence north 533.68 feet; thence north 14 degrees 09 minutes east 482.25 feet to the center of David Hill Road, said point also being the northeast corner of the aforesaid Versteeg tract; thence southeasterly along the center line of said David Hill Road to the east line of Section 26, T1N, R4W, W.M.; thence leaving the Unified Sewerage Agency boundary and running north along the east line of Sections 26 and 23 to a point on the south line of the Bonneville Power Administration Forest Grove Timber Transmission line right-of-way; thence southeasterly along said south right-of-way line to its intersection with the center of Council Creek in Section 30, T1N, R3W, W.M.; thence southeasterly along the center of Council Creek to a point on the north line of Section 31, T1N, R3W, W.M.; said point also being on the north boundary of the Unified Sewerage Agency; thence southeasterly along the center of Council Creek and along the Unified Sewerage Agency boundary to its intersection with the center of Dairy Creek in Section 35, T1N, R3W, W.M.; thence southeasterly along the center of Dairy Creek to the center of McKay Creek; thence northerly along the center of McKay Creek to a point on the south line of Section 25, T1N, R3W, W.M.; thence east along the south line of said Section 25 to its intersection with the center of Glencoe Road; thence northerly along the center of Glencoe Road to the center line of Evergreen Road; thence east along the center line of Evergreen Road to its intersection with the center line of Cornelius Pass Road in Section 21, T1N, R2W, W.M., said point also being on the Unified Sewerage Agency boundary; thence northerly along the center line of Cornelius Pass Road to the north line of the Sunset Highway; thence northwesterly along the north line of Sunset Highway 4,000 feet more or less to the east boundary of the Bonneville Power Administration right-of-way; thence northeasterly along the east line of said Bonneville Power Administration right-of-way to its intersection with the center line of Northwest West Union Road, County Road No. 1175; thence southeasterly along the center line of said road to the center line of the Burlington Northern Railway right-of-way; thence southerly along said right-of-way to a point on the westerly extension of the south

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line of Tax Lot 1N 214D 1100, said point being 520 feet more or less north of the south line of Section 14, T1N, R2W, W.M.; thence east along the south line of Tax Lot 1100 and the south line of Tax Lot 1200 to a point on the center line of Cornelius Pass Road; thence southwesterly along the center line of Cornelius Pass Road to a point on the south line of Section 14, T1N, R2W, W.M.; thence east along the south line of Section 14 to a point on the east line of a tract described in Book 685, Page 149, Washington County Records (TL 1N 2W 14D 1202); thence northeasterly along the easterly line of said tract to a point on the center line of Northwest West Union Road; thence southeasterly along the center line of Northwest West Union Road to the center of 185th Avenue; thence northerly along the center line of 185th Avenue to the center line of Springville Road; thence easterly along the center line of said Springville Road to a point on the east line of Section 17, T1N, R1W, W.M., said point being the point of beginning of the Unified Sewerage Agency and also being on the boundary between Washington and Multnomah Counties; thence north along the east line of said Section 17 to the northeast corner; thence west along the north line of said Section 17 to the northwest corner; thence north along the east line of Section 7 to the northeast corner; thence west along the north line of said Section 7 to the quarter corner between Sections 6 and 7, said point also being on the Portland city limits line; thence following said city limits line northerly along the quarter section line to its intersection with the center line of Kaiser Road No. 1643; thence northeasterly along the center line of said road to its intersection with the west line of Lot 3 Schoppe Acres in Section 6, T1N, R1W, W.M.; thence northerly along the west line of Schoppe Acres to the northwest corner, said point being on the east-west center line of Section 6; thence easterly along the east-west center line of Sections 6 and 5 to the center of Section 5; thence northerly along north-south center line of Section 5, T1N, R1W, W.M., and Section 32, T2N, R1W, W.M., to a point 1,240 feet, more or less, north of the south quarter corner of Section 32 said point being the northwest corner of a tract conveyed to Benjamin G. and Marjorie R. Pauly by deed in Book 1075, Page 208, Multnomah County Deed Records; thence east 460 feet to a point which lies 400 feet south of the northeast corner of said Pauly tract; thence south along the east line of said Pauly tract 514.22 feet to the southeast corner of said Pauly tract; thence south 89 degrees 59 minutes east 474.4 feet to the northeast corner of tract conveyed to Luella Welch Hannigan and recorded in Book 471, Page 630 Multnomah County Deed Records; thence South 00 degrees 03 minutes 50 seconds west 689.2 to the southeast corner of said Hannigan tract, said corner also being on the north line of Section 5, T1N, R1W, W.M.; thence east along said north line to the northeast corner of Section 5; thence south on the east line of said Section 5, 880 feet, more or less; thence east to the north-south center line of Section 4; thence north along north-south center line of said Section 4 to the north quarter corner; thence north along the north-south center line of Section 33, T2N, R1W, W.M. to the center of said Section 33; thence east along the east-west center line of said Section 33 to its intersection with the easterly right-of-way line of Water Road; thence northeasterly along the easterly right-of-way line of Water Road to the northwest corner of Lot 5, Block 12, Harborton subdivision; thence southeasterly along the northerly line of said Lot 5 to the northeast corner, said point being on the northerly right-of-way line of N.W. Drury Lane;

thence southwesterly along the northerly line of N.W. Drury Lane to the southwesterly line of N.W. Creston Road; thence southeasterly along the southwesterly right-of-way line of N.W. Creston Road to a point of intersection of the extension of the northwesterly line of Lots 25 and 16, Block 4 Harborton; thence northeasterly along the north line and extended north line of Lots 25 and 16, Block 4 Harborton to the center line of N.W. Mountainview Road; thence southeasterly along the center line of N.W. Mountainview Road to its intersection with the extended northerly line of Lot 32, Block 3; thence northeasterly along northerly line of Lot 32, Block 3 to the northeast corner; thence southeasterly 200 feet to the most easterly corner of Lot 14, Block 3 Harborton; thence southwesterly along the southerly line of Lot 14, Block 3 extended to the center line of N.W. Mountainview Road; thence southeasterly along the center line of N.W. Mountainview Road to its intersection with the southeasterly line of Lots 4 and 7, Block 4 extended; thence southwesterly along the southeasterly line of Lots 4 and 7, Block 4 extended to the southwesterly right-of-way line of N.W. Creston Road; thence southeasterly along the southerly right-of-way of N.W. Creston Road to its intersection with an extended line parallel to and 20 feet northwesterly of the most easterly corner of Lot 14, Block 5; thence northeasterly along said extended line to the easterly line of Lot 14, Block 5; thence southeasterly to the most easterly corner of Lot 15, Block 5; thence southwesterly along the southeasterly line of Lot 15, Block 5 extended to the southerly right-of-way line of N.W. Creston Road; thence southeasterly along said southerly line of N.W. Creston Road to the most easterly corner of Block 2 Lambert; thence southwesterly along the southeasterly line of Block 2 to the most southerly corner of said Block 2; thence southeasterly along the extended southwesterly line of Block 1 to the most westerly corner of Lot 1, Block 1 Lambert; thence northeasterly along the northwesterly line of said Lot 1, Block 1 to the most northerly corner of said Lot 1, Block 1; thence northwesterly along the northeasterly line of Block 1 Lambert to the most northerly corner of Block 6 Harborton; thence southeasterly along the southerly line of N.W. Harborton Drive and N.W. Hampton Road to its intersection with the extended southeasterly line of Lot 11, Block 1 Harborton; thence northeasterly along the southeasterly line of Lot 11, Block 1 to its most southerly corner; thence northwesterly along the southwesterly line of Block 1 to the most southerly corner of Lot 10, Block 1; thence northeasterly along the southeasterly line of Lot 10, Block 1 to the most easterly corner thereof; thence northwesterly along the northeasterly line of Lot 10, Block 1, 50 feet to its most northerly corner; thence southwesterly along the northwesterly line of Lot 10, Block 1 to the most westerly corner of said Lot 10, Block 1; thence northwesterly on the southwesterly line of Block 1 to the most westerly corner of Lot 9, Block 1; thence northeasterly on the northwesterly line of Block 1 to the most northerly corner of Block 1; thence southeasterly along the northeasterly line of Block 1 Harborton to its intersection with the west boundary line by compromise of the Jacob Sanders Donation Land Claim; thence north along said boundary line by compromise to a point where it intersects the south bank, of the upper entrance of the Willamette Slough; thence at right angles to the center of said Willamette Slough northerly to the center of said slough; thence easterly along the center of the Willamette Slough to its intersection with the center of the Willamette River; thence leaving the Portland city limits

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and going northerly along the center of the Willamette River to the point of beginning.

(2) Unless otherwise specified, references in subsection (1) of this section to the boundaries or limits of governmental entity are to those boundaries or limits as they were constituted April 1, 1977.

(3) The provisions of ORS 199.410 to 199.512 shall not apply to any change in the boundaries of a metropolitan service district formed prior to the effective date of this 1977 Act necessitated by the provisions of subsection (1) of this section.

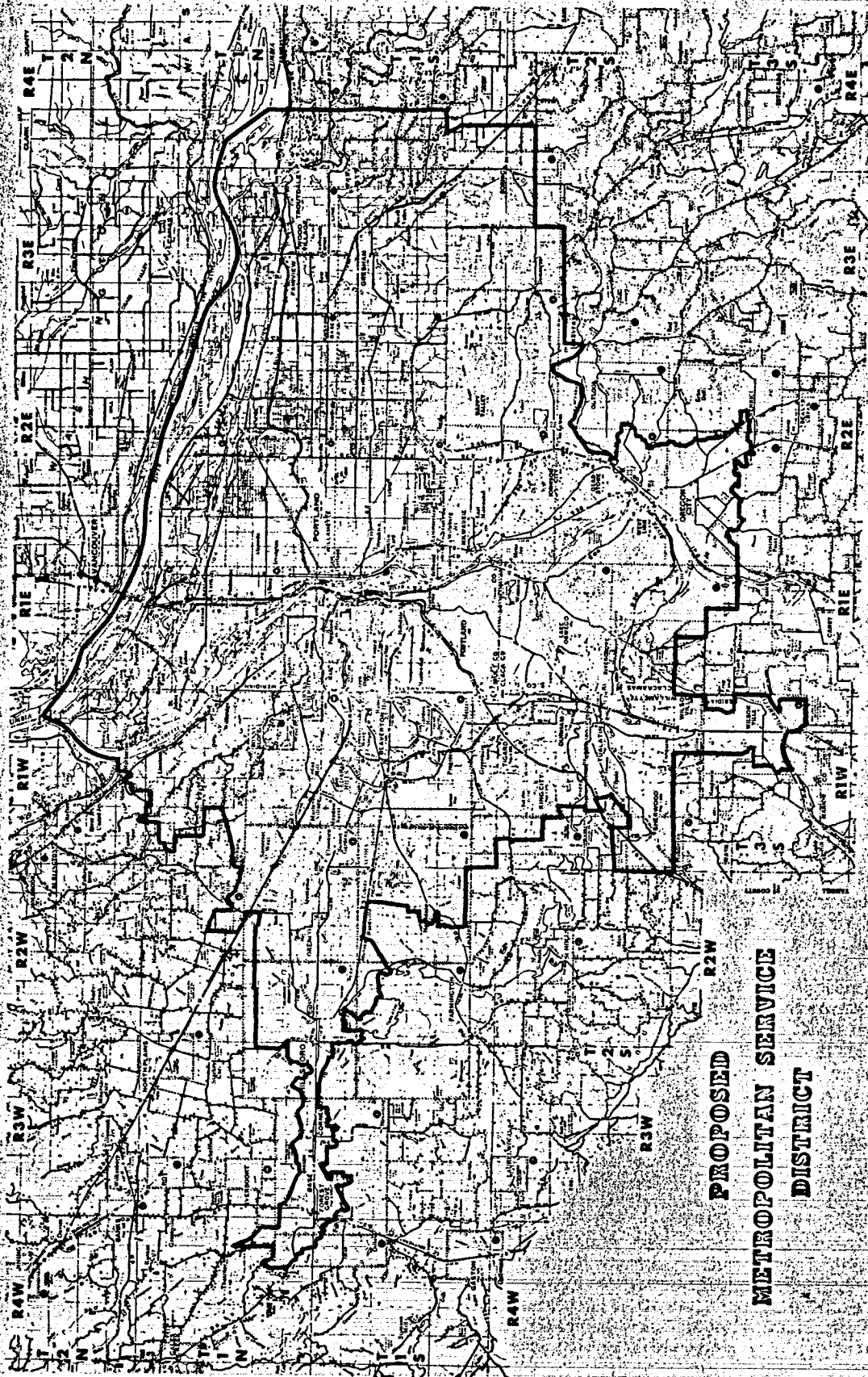
(4) The following map is intended to illustrate the legal boundaries described in subsection (1) of this section and in case of conflict with that legal description the legal description shall control:

(See map on following page)



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**SECTION 15.** The fiscal year of the district shall commence on July 1 of each year and end on June 30 of the following year.

**SECTION 16.** (1) The council, in its sole discretion, may determine that it is necessary to charge the cities, counties and other municipal corporations within the district for the services and activities carried out under sections 17 and 18 of this 1977 Act. If the council determines that it is necessary to charge cities and counties within the district for any fiscal year, it shall determine the total amount to be charged and shall assess each city and county with the portion of the total amount as the population of the portion of the city or county within the district bears to the total population of the district. For the purposes of this subsection the population of a county does not include the population of any city situated within the boundaries of that county. The population of each city and county shall be determined in the manner prescribed by the council.

(2) If the council determines that it is necessary to charge other municipal corporations within the district it shall do so in a fair manner, proportionate to the services and activities the district will perform for those governmental bodies provided, however, that the service charge shall not exceed the rate of 51 cents per capita each year.

(3) The council shall notify each governmental body of its intent to assess and the amount it proposes to assess each governmental body at least 30 days before the beginning of the fiscal year for which the charge will be made.

(4) The decision of the council to charge the cities, counties and other municipal corporations within the district, and the amount of the charge upon each, shall be binding upon those governmental bodies. Cities, counties and other municipal corporations shall pay their charge on or before October 1 of the fiscal year for which the charge has been made.

(5) This section shall not apply to a fiscal year which ends later than June 30, 1981.

**SECTION 17.** A district council shall:

(1) Adopt land-use planning goals and objectives for the district consistent with goals and guidelines adopted under ORS 197.005 to 197.430;

(2) Review the comprehensive plans in effect on the operative date of this 1977 Act, or subsequently adopted by the cities and counties within the district and recommend or require cities and counties, as it considers necessary, to make changes in any plan to assure that the plan conforms to the district's metropolitan area goals and objectives and the state-wide goals;

(3) Coordinate the land-use planning activities of that portion of the cities and counties within the district; and

(4) Coordinate its activities and the related activities of the cities and counties within the district with the land-use planning development activities of the Federal Government, other local governmental bodies situated within this state or within any other state and any agency of this state or another state.

**SECTION 18.** A district council shall:

(1) Define and apply a planning procedure which identifies and designates areas and activities having significant impact upon the orderly and responsible development of the metropolitan area, including, but not limited to, impact on:

(a) Air quality;

(b) Water quality; and

(c) Transportation.

(2) Prepare and adopt functional plans for those areas designated under subsection (1) of this section to control metropolitan area impact on air and water quality, transportation and other aspects of metropolitan area development the council may identify.

(3) Review the comprehensive plans in effect on the operative date of this 1977 Act or subsequently adopted by the cities and counties within the district which affect areas designated by the council under subsection (1) of this section and recommend or require cities and counties, as it considers necessary, to make changes in any plan to assure that the plan and any actions taken under it conform to the district's functional plans adopted under subsection (2) of this section.

**SECTION 19.** (1) For the purposes of ORS 197.190, the district formed under ORS chapter 268 shall exercise within the district the review, advisory and coordinative functions assigned under subsection (1) of ORS 197.190 to each county and city that is within the district.

(2) Subsections (3) and (4) of ORS 197.190 shall not apply to a district formed under this chapter.

**SECTION 20.** To assist it in the performance of its duties, the council shall appoint advisory committees comprised of local government officials from the metropolitan area and any other areas receiving services from the district in accordance with this chapter. Members of the advisory committees shall serve without compensation but shall be reimbursed for their reasonable expenses as determined by the council.

**SECTION 21.** (1) A metropolitan service district may establish service districts as provided by ORS chapter 451 and this chapter. For the purposes of ORS chapter 451, a metropolitan service district shall be considered a county and the district council created by section 5 of this 1977 Act shall be considered a county court.

(2) Notwithstanding those districts authorized under ORS 451.010, a metropolitan service district may create service districts only for purposes authorized by this chapter.

**SECTION 22.** (1) To carry out the purposes of this chapter, a district may by ordinance impose a tax:

(a) Upon the entire taxable income of every resident of the district subject to tax under ORS chapter 316 and upon the taxable income of every nonresident that is derived from sources within the district which income is subject to tax under ORS chapter 316; and

(b) On or measured by the net income of a mercantile, manufacturing, business, financial, centrally assessed, investment, insurance or other corporation or entity taxable as a corporation doing business, located, or having a place of business or office within or having income derived from sources within the district which income is subject to tax under ORS chapter 317 or 318.

(2) The rate of the tax imposed by ordinance adopted under authority of subsection (1) of this section shall not exceed one percent. The tax may be imposed and collected as a surtax upon the state income or excise tax.

(3) Any ordinance adopted pursuant to subsection (1) of this section may require a nonresident, corporation or other entity taxable as a corporation having income from activity

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both within and without the district taxable by the State of Oregon to allocate and apportion such net income to the district in the manner required for allocation and apportionment of income under ORS 314.280 and 314.605 to 314.675.

(4) If a district adopts an ordinance under this section, the ordinance shall be consistent with any state law relating to the same subject, and with rules and regulations of the Department of Revenue prescribed under ORS 305.620.

(5) Any ordinance adopted by the district under subsection (1) of this section shall receive the approval of the voters of the district before taking effect.

**SECTION 23.** (1) A district may appropriate and acquire water and water rights within and without the district for the purpose of providing metropolitan aspects of water supply and distribution.

(2) Subsection (1) of this section is not to be construed to affect or impair the vested rights of any person, public corporation, city or county to the use of water or rights in the use of water.

**SECTION 23a.** Any land situated within a surface water control project undertaken by the district, the title to which is vested in the state or any county, city or town, shall be subject to assessment and imposition of service fees by the district. The full amount of assessments or service fees due against such land shall be paid to the district at the same times and in the same manner as other district assessments and service fees.

**SECTION 24.** ORS 197.705, 197.710, 197.715, 197.725, 197.730, 197.735, 197.740, 197.750, 197.755, 197.760, 197.765, 197.775, 197.780, 197.785, 197.790 and 197.795 are repealed upon the operative date of this Act.

**SECTION 25.** Notwithstanding the repeal of ORS 197.705 to 197.795 by this Act, the lawfully adopted rules of a regional planning district in effect on the operative date of this Act which are applicable within the district shall continue in effect until lawfully superseded or repealed by rules enacted by the metropolitan service district. References in rules of the regional planning district to the regional planning district or an officer or employe thereof are considered to be references to the metropolitan service district or an officer or employe thereof.

**SECTION 26.** The repeal of ORS 197.705 to 197.795 by this Act does not affect any action, suit, proceeding or prosecution involving or with respect to the duties, functions and powers of a regional planning district begun before and pending at the operative date of this Act, except that the metropolitan service district shall be substituted for the regional planning district in the action, suit, proceeding or prosecution.

**SECTION 27.** (1) Nothing in this Act relieves a person of an obligation with respect to a fee, fine or other charge, interest, penalty, forfeiture or other liability, duty or obligation accruing under or with respect to the duties, functions and powers of a regional planning district under ORS 197.705 to 197.795. The metropolitan service district may undertake the collection or enforcement of any such fee, fine, charge, interest, penalty, forfeiture or other liability, duty or obligation.

(2) The rights and obligations of the regional planning district legally incurred under contracts, leases and business transactions, executed, entered into or begun before the operative date of this Act, are transferred to the metropoli-

tan service district. For the purpose of succession to these rights and obligations, the metropolitan service district is considered to be a continuation of the regional planning district and not a new body, and the metropolitan service district shall exercise those rights and fulfill those obligations as if they had not been transferred.

**SECTION 28.** Where a regional planning district has been formed under ORS 197.705 to 197.795, upon the operative date of this Act there are transferred to the metropolitan service district all the supplies, materials, equipment, records, books, papers and facilities of the regional planning district.

**SECTION 29.** (1) The unexpended balances of amounts for the biennium beginning July 1, 1977, from revenues dedicated, collected from cities and counties, or otherwise made available for the purpose of administering and enforcing the duties, functions and powers of a regional planning district formed under ORS 197.705 to 197.795 are transferred to and are available for expenditure by the metropolitan service district for the biennium beginning July 1, 1977, for the purpose of carrying out the provisions of sections 17 and 18 and this section of this Act.

(2) The metropolitan service district shall assume and pay all outstanding obligations lawfully incurred by the regional planning district before the operative date of this Act that properly are charged against amounts authorized by this section to be expended by the metropolitan service district.

**SECTION 30.** Except as provided in ORS 249.271 and sections 5, 5a and 7 of this Act, this Act, including the amendments and repeals made to ORS chapter 268, does not become operative until January 1, 1979.

**SECTION 31.** This Act shall be referred to the people of Multnomah, Washington and Clackamas Counties for their approval or rejection at a state-wide special election held on the date of the next primary election.

## BALLOT TITLE

### 6 REORGANIZES METROPOLITAN SERVICE DISTRICT, ABOLISHES CRAG—

Purpose: Metropolitan Service District reconstituted with subdistrict election of twelve member governing council, elected executive officer, revised boundaries. Abolishes CRAG, transfers regional land use planning functions to district. Authority to assess cities expires 1981. Voters may transfer boundary commission functions to district. If voters approve income tax (1% limit) or tax base, district may assume metropolitan aspects of enumerated (recreational, correctional, library, etc.) services beyond existing functions. Authorizes local service district formation. Effective January 1, 1979.

YES

NO

# Measures

STATE OF OREGON

## MEASURE NO. 6

### Explanation

By the Legislative Counsel Committee pursuant to ORS 254.225.

This measure would reorganize the Portland Metropolitan Service District's boundaries and governing body and assign it new duties and powers, including those now held by CRAG.

A legal description and map of the district's new boundaries would limit district jurisdiction to the urban portions of Clackamas, Multnomah and Washington Counties.

The present district governing body of seven county and city officials appointed by local governments would be replaced by 12 nonsalaried councilors, each to be elected for four-year terms on a nonpartisan basis from one of 12 subdistricts. The Secretary of State would be responsible for determining the subdistrict boundaries, based on equal population and recognition of existing communities. The council must appoint committees of local government officials to advise it.

An elected executive officer would administer the reorganized district. This officer would be salaried, elected on a nonpartisan basis from the district-at-large for a four-year term and could not vote on the council. Neither the executive officer or the councilors may hold or be candidates for other elective offices.

The first executive officer and 12 councilors would be elected at the 1978 general election.

This measure would abolish the Columbia Region Association of Governments and transfer its land-use planning duties and responsibilities to the reorganized metropolitan service district. The district could not plan land use outside its boundaries unless requested by a county or city. The district would not be able to use CRAG's assessment power against cities and counties to finance its land-use planning after June 30, 1981. The Portland Boundary Commission could be merged with the metropolitan service district by a vote of the people.

Presently, the district may provide metropolitan aspects of sewerage, solid and liquid waste disposal, flood control, public transportation, zoo facilities and major cultural, convention, exhibition, sports and entertainment facilities. This measure would allow the additional metropolitan services of water supply, human services, parks and recreation, libraries and correctional facilities and programs. These additional services, and major cultural, convention, exhibition, sports and entertainment facilities, could be provided only if the voters approve either a tax base or income tax for financing the district. Any income tax may not exceed a rate of one percent.

The metropolitan service district could provide any of these metropolitan services district-wide. It could also create smaller service districts subject to referendum within that smaller district. A county, city or other public corporation could contract with the metropolitan service district to provide local aspects of the district's authorized functions. Areas outside the district could contract for the district's services as well. In providing services, the district could not impair existing water rights or condemn the property of any city or county. It could require property owners to install flood control facilities.

All district ordinances, except those authorizing expenditures of the district or those implementing a voter-approved tax levy, would be subject to referendum. In adopting rules, the district would be subject to the state Administrative Procedures Act.

The reorganized district would begin operation January 1, 1979.

**Committee Members**  
Representative Ted Achilles  
Mr. Irwin Adams  
Senator Jan Wyers  
Representative Lloyd C. Kinsey  
Ms. Carol Steele

**Appointed By**  
Secretary of State  
Secretary of State  
President of the Senate  
Speaker of the House  
Members of Committee

This Committee was appointed to provide legislative argument in support of the ballot measure pursuant to ORS 255.465.

## MEASURE NO. 6

### Argument in Favor

VOTE "YES" ON BALLOT MEASURE #6 and you will be helping to abolish NON-ELECTIVE governing boards that affect our taxes, our government services, and the future of our communities. CRAG, MSD, Tri-Met, the Boundary Commission, and the Port of Portland are all APPOINTED boards.

The Legislature proposed this measure to the voters believing that:

- (1) PEOPLE WANT ELECTED OFFICIALS, NOT APPOINTED ONES.
- (2) People want to reduce levels of government, not add new ones.
- (3) It's better to have one ELECTED, visible area board than a maze of appointed commissions and "coordinating" committees. We need a responsible local way of dealing with problems that cross governmental boundaries—like crime prevention, transportation, and land use.
- (4) People want representatives elected from as close to home as possible. Single-member districts do that.
- (5) People don't want new taxes unless they can vote on them.

HERE'S WHAT BALLOT MEASURE #6 WILL DO:

- (1) Measure #6 provides for ELECTED OFFICIALS for the Metropolitan Service District (MSD) in place of the presently APPOINTED OFFICIALS. The eleven part-time NON-SALARIED councilors will be elected on a non-partisan basis from single-member districts. The chief administrator, elected at-large, will be full-time with a salary the same as a district judge.
- (2) Measure #6 abolishes CRAG and transfers its necessary functions to the elected MSD Council.
- (3) Measure #6 finances MSD functions as they are presently funded. BALLOT MEASURE #6 REQUIRES NO NEW TAXES.
- (4) Measure #6 re-draws the boundaries of MSD to eliminate many rural areas now inappropriately included within urban boundaries.
- (5) Measure #6 permits Tri-Met, with its appointed board, to be abolished by MSD and its assets and responsibilities taken over by the elected MSD Council.

HERE'S WHAT BALLOT MEASURE #6 DOES NOT DO:

- (1) It does not levy any taxes nor authorize the expenditure of any additional tax money.
- (2) It does not add any new level of area government although it immediately abolishes one—CRAG.
- (3) It does not grant any new powers to government.

Ballot Measure #6 gives the citizens of our tri-county area a means of dealing with area problems as we may want to, through elected officials directly responsible to us. But new services can be added only if the voters approve the necessary taxes. Ballot Measure #6 will help our cities, counties, and special service districts do a better, more economical job for us.

It's good common sense to try to make government simple, direct, and efficient. And most important: We want to elect our public officials—not let appointees run things.

Vote YES for less government, sensible government, ELECTED GOVERNMENT.

VOTE "YES" FOR BALLOT MEASURE #6!

**Joint Legislative Committee Members**  
Senator F. Roberts  
Representative Jim Chrest  
Representative Rod Monroe

**Appointed By**  
President of the Senate  
Speaker of the House  
Speaker of the House

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The printing of this argument does not constitute an endorsement by the State of Oregon, nor does the state warrant the accuracy or truth of any statement made in the argument.

# Measures

STATE OF  
OREGON

## MEASURE NO. 6

### Argument in Favor

**MEASURE 6 WILL MAKE OUR SYSTEM OF LOCAL GOVERNMENT LEANER, MORE EFFICIENT AND ANSWERABLE TO THE PEOPLE IT SERVES.**

The case for Measure 6 is a classic case for democracy. It places government under the control of the people via the ballot box.

Measure 6 is also a classic case for efficiency in government. It would take a hodge-podge of area-wide agencies, all operating without accountability to the voters, and coordinate them under an elected government that is directly responsible to the people.

Presently the Metropolitan Service District (MSD) runs the Zoo and has authority to deal with the area-wide aspects of sewers, solid waste disposal, flood waters and transportation. The Columbia Region Association of Governments (CRAG) is in charge of planning. Measure 6 immediately would tie together these two related but uncoordinated agencies under an elected government.

**MEASURE 6 PROVIDES FOR LOCAL CONTROL OVER AREA-WIDE AGENCIES BY MAKING THE MSD BOARD DIRECTLY ELECTED BY THE PEOPLE RATHER THAN APPOINTED.**

A 12-member policy-making council would be elected from single-member districts to assure equitable representation of urban and suburban interests. A chief executive officer would be chosen by all of the voters in the district. Voters would have tight controls over the council's actions.

**MEASURE 6 CREATES NO NEW LAYER OF GOVERNMENT. IT STREAMLINES AREA-WIDE GOVERNMENT BY REDUCING THE NUMBER OF AGENCIES NOW IN OPERATION.**

With MSD and CRAG as the first two non-elected agencies combined under elected representation, the non-elected Tri-Met could be added at will by the newly elected council. Whenever they desire, the voters also could include the non-elected Boundary Commission.

**MEASURE 6 WILL CUT GOVERNMENTAL COSTS. THERE ARE NO NEW TAXES IN MEASURE 6 AND FOR ANY NEW TAXES TO BE IMPOSED, THEY MUST FIRST BE APPROVED BY THE VOTERS.**

The thrust of Measure 6 is clear. By voting "YES", the voters can take control over a branch of government that now exists outside the democratic process where it cannot be made to account for its actions. Moreover, the voters can pick up the pieces of this fragmented, hodge-podge of government and weave it together into an efficient unit to better serve the interests of the people.

**GIVE GOVERNMENT BACK TO THE PEOPLE. VOTE "YES" ON MEASURE 6.**

Submitted by: Citizens Committee to Give the People Control of Local Government;  
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