

City of Cornelius Agenda Report

To: Honorable Mayor and Members of the City Council

From: Barbara Fryer, Community Development Director

Through: Rob Drake, City Manager

Date: August 1, 2022

Subject: Adoption of Ordinance memorializing City Council's decision to approved the Expedited annexation (AN-01-22) of 400 feet of S. 345th Avenue Right-of-Way

Cornelius
Oregon's Family Town

Summary: City Council approved an Expedited Annexation of approximately 400 feet of Right-of-way of SW 345th Avenue (AN-01-22) application to add 0.37 acres to the City of Cornelius on the Consent Agenda.

Previous Council Action: Consent agenda approval of Expedited Annexation.

Background: The subject property, 400 feet of right-of-way along SW 345th Avenue abutting properties two tax lots described as Township 1 S, Range 3 W, Map 02 B, Tax Lots 0000802 and Township 1 S, Range 3 W, Map 02 A, Tax Lot 000100. The proposed annexation land area totals approximately 0.37 acres in size. The property is wholly within the SE UGB area which was approved through HB 4078, commonly known as the 'Grand Bargain'. This application is for the annexation of this property located within the Urban Growth Boundary (UGB) into the Cornelius city limits. There are City services available nearby that can be extended to serve future residential development of the area.

Financial Implications: Due to the fact that the area to be annexed is right-of-way and is not assessed, no changes are proposed for taxing districts or services. If the annexation does not occur, the financial implications are that the city would need to find approximately \$2.5 million to cover the placement of the S. 29th Boulevard at the original location, removal of 2 rail crossings, and project delays. Inflation increase have raised construction prices approximately 150%. If the annexation occurs, the additional funding to place S. 29th Boulevard at the original location would not be necessary.

Staff Recommendation: Staff recommends the City Council conduct first and second reading, and adoption of the attached Ordinance.

Proposed Motion: I make a motion to read by title only for the first reading Ordinance No. 2022-XXX, AN ORDINANCE FOR THE ANNEXATION OF CERTAIN LAND AREA INTO THE CITY LIMITS OF CORNELIUS.

I make a motion to read by title only for the second reading Ordinance No. 2022, AN

ORDINANCE FOR THE ANNEXATION OF CERTAIN LAND AREA INTO THE CITY LIMITS OF CORNELIUS.

Exhibits: Ordinance with Legal Description and Mapped Area

-XXX – Ordinance Number to be assigned

ORDINANCE NO. 2022-~~XX~~
CITY OF CORNELIUS

AN ORDINANCE OF THE CITY OF CORNELIUS FOR THE ANNEXATION OF CERTAIN LAND AREA INTO THE CITY LIMITS OF CORNELIUS

WHEREAS, the City received a complete application from the property owner of land depicted on the attached map in Exhibit #1 of this ordinance, requesting that 400 feet of the portion of their property within the SW 345th Avenue Right-of-Way be annexed into the city limits of Cornelius; and

WHEREAS, the City received written consent from 100% of the property owners in the territory proposed be annexed, as required by ORS 222.170(2); and

WHEREAS, the City received written consent from 100% of the electors in the territory proposed be annexed, as required by ORS 222.170(2); and

WHEREAS, the City of Cornelius provided public notice consistent with Metro Code 3.09 for an Expedited Annexation; and

WHEREAS, the subject property can be served by City services; and

WHEREAS, the subject property is contiguous to the City; and

WHEREAS, the subject property currently lies within the Metro Urban Growth Boundary; and

WHEREAS, the annexation meets the requirements of Metro Code 3.09 for expedited annexation; and

WHEREAS, City of Cornelius City Council, after providing the required notices, having received no requests for a public hearing, consented to annexation of 400 feet of right-of-way of SW 345th Avenue; and

WHEREAS, the City Council finds the proposed annexation to be in compliance with the City's Comprehensive Plan, the City's Municipal Code, Oregon Administrative Rules, and the Metro Code, as set forth in the Staff Report, attached hereto as Exhibit #1; and

WHEREAS, a report was prepared as required by law and the City Council, having considered the report and the testimony at the public hearing, does hereby favor the annexation of the subject tract of land and withdrawal from the County districts based on findings and conclusions attached hereto as Exhibit #1; and

WHEREAS, the annexation is not contested by any necessary party.

NOW THEREFORE THE CITY OF CORNELIUS ORDAINS AS FOLLOWS:

SECTION 1. The Cornelius City Council hereby approves the proposed Annexation (AN-01-22) for the tract of land depicted on the map in the Staff Report; see Exhibit #1.

SECTION 2. The findings and conclusions attached as Exhibit #1 are adopted. The City Recorder shall immediately file a certified copy of this ordinance with Metro and other agencies required by Metro Code Chapter 3.09.050(g) and ORS 222.005.

SUBMITTED to the Cornelius City Council and read into the record at a regularly scheduled meeting thereof on the 22nd day of August 2022, and read for a second time by title only this same day.

ENACTED this the 22nd day of August 2022, by the City Council by the following votes:

YEAS _____ NAYS _____

By: _____
Jef Dalin, Mayor

ATTEST:

By: _____
Debby Roth, City Recorder



EXHIBIT A

City of Cornelius Annexation

A tract of land located in the Northeast One-Quarter of Section 3, Township 1 South, Range 3 West, Willamette Meridian, City of Cornelius, Washington County, Oregon, and being more particularly described as follows:

Commencing at the northeast corner of said Section 3, thence South 21°54'48" West 359.06 feet to the intersection of the southerly right-of-way line of the S Alpine Street (30.00 feet from centerline) and the westerly right-of-way line of SW 345th Avenue (20.00 feet from centerline), also being the Point of Beginning; thence along said southerly right-of-way line South 78°35'20" East 40.45 feet to the easterly right-of-way line of SW 345th Avenue; thence along said easterly right-of-way line, South 02°49'41" West 395.87 feet; thence leaving said easterly right-of-way line, North 87°10'19" West 40.00 feet to the westerly right-of-way line of SW 345th Avenue; thence along said westerly right-of-way line, North 02°49'41" East 401.90 feet to the Point of Beginning.

The above described tract of land contains 15,955 square feet, more or less.

01/05/2022

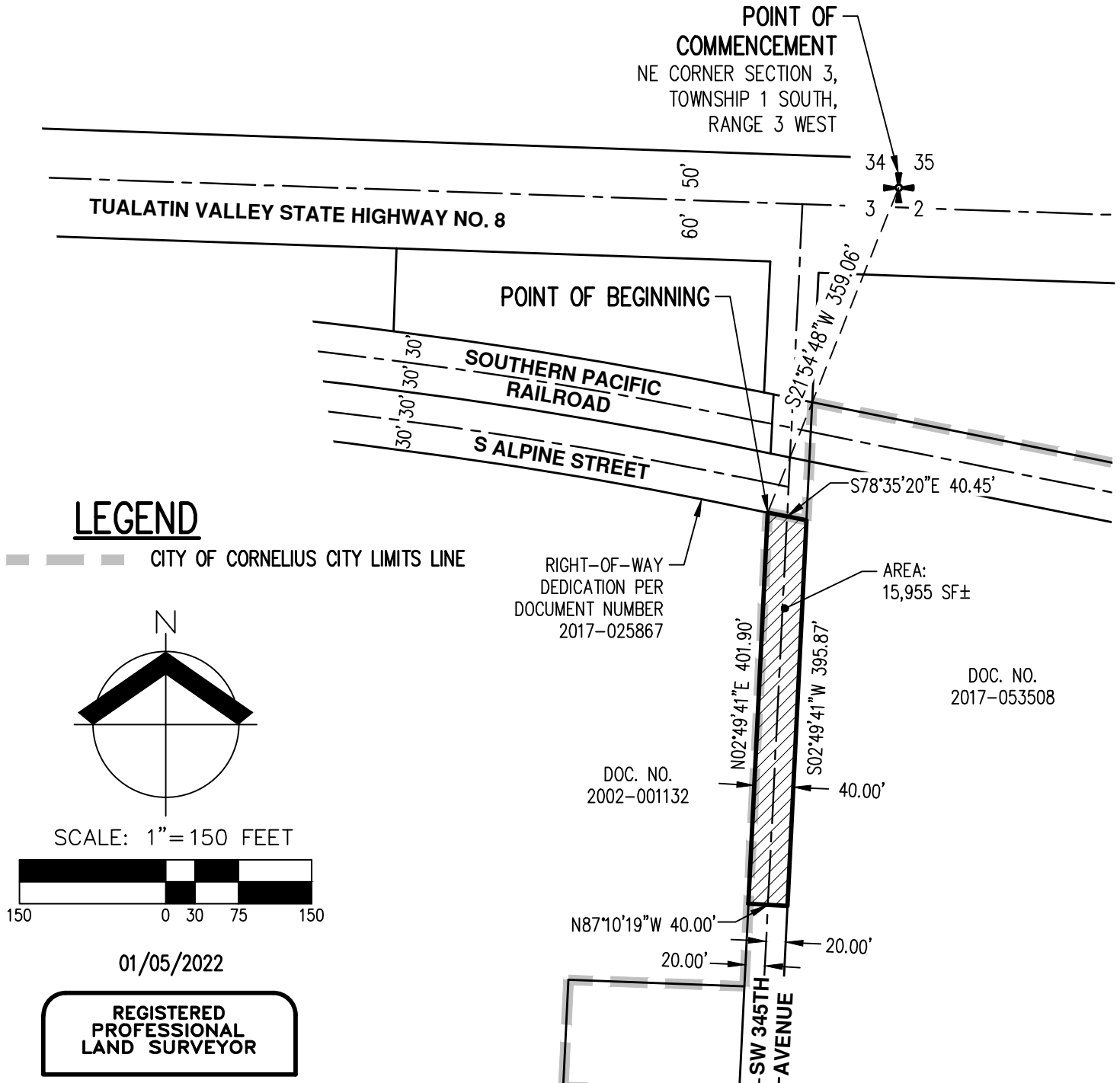
REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 12, 2016
MICHAEL S. KALINA
89558PLS

RENEWS: 6/30/23

EXHIBIT B

A TRACT OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 3,
TOWNSHIP 1 SOUTH, RANGE 3 WEST, WILLAMETTE MERIDIAN,
CITY OF CORNELIUS, WASHINGTON COUNTY, OREGON



CITY OF CORNELIUS ANNEXATION		EXHIBIT B
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM		DRWN: KLH CHKD: MSK AKS JOB: 6319-05

