



## **ORDINANCE 2022-003**

### **APPROVING ANNEXATION OF APPROXIMATELY 20.0 ACRES TO THE CITY OF SHERWOOD AND CLEAN WATER SERVICES WITHIN THE TONQUIN EMPLOYMENT AREA, COMPRISED OF FIVE TAX LOTS AND AN ADJACENT UNNAMED RIGHT-OF-WAY**

**WHEREAS**, Sherwood Commerce Center LLC, property owner of 14240, 14250, and 14260 SW Tonquin Road (Tax Map 2S13300, Tax Lots 200, 201, 300, 401 and 403), have applied for annexation of certain land and adjacent right-of-way, as described in Exhibits A and B to this Ordinance, to the City of Sherwood; and

**WHEREAS**, the property owner initiated this annexation in accordance with ORS Chapter 222 and SB 1573 (2016); and

**WHEREAS**, SB 1573 requires City approval without submission to the electors, regardless of any local charter or ordinance requirements to the contrary, of annexation requests submitted by all owners of land in the territory proposed to be annexed, when:

- (a) The territory is included within an urban growth boundary adopted by the city or Metro, as defined in ORS 197.015;
- (b) The territory is, or upon annexation of the territory into the city will be, subject to the acknowledged comprehensive plan of the city;
- (c) At least one lot or parcel within the territory is contiguous to the city limits or is separated from the city limits only by a public right-of-way or body of water; and
- (d) The proposal conforms to all other requirements of the city's ordinances; and

**WHEREAS**, the Tonquin Employment Area Concept Plan, which includes the territory proposed to be annexed, was brought into the Urban Growth Boundary in 2004 by Metro via Ordinance 04-1040B; and

**WHEREAS**, the City of Sherwood developed a concept plan for that area and adopted the concept plan and implementing ordinances in 2010 via Ordinance 2010-014; and

**WHEREAS**, the lots (the territory) that are proposed to be annexed are contiguous to the current city limits; and

**WHEREAS**, the total land proposed to be annexed to the City of Sherwood is approximately 20.0 acres which includes 19.76-acre parcels and 0.24 acres of adjacent right-of-way and;

**WHEREAS**, the subject territory is not currently within Clean Water Services boundaries and will be added to the Clean Water Services district boundary upon annexation under the authority of ORS 199.510(2)(c); and

**WHEREAS**, the City does not presently have any other ordinance requirements applicable to this annexation request; and

**WHEREAS**, the properties proposed to be annexed are currently in unincorporated Washington County and part of the Washington County Service Districts for Enhanced Law Enforcement; and

**WHEREAS**, Washington County and the City of Sherwood have entered into an agreement acknowledging that the City of Sherwood should be the ultimate provider of urban services in the Tonquin Employment Area; and

**WHEREAS**, these properties must be within the City limits in order to be developed for the urban uses and densities planned for in the Tonquin Employment Area Concept Plan; and

**WHEREAS**, after proper legal notice, a public hearing was held on the proposed annexation by the City Council on March 15, 2022, at which public comments and testimony were received and considered; and

**WHEREAS**, the Council reviewed and considered the staff report with proposed findings and conclusions for the decision which is included as Exhibit 1 to the Council staff report.

**NOW, THEREFORE, THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:**

- Section 1.** The territory proposed to be annexed to the City of Sherwood and Clean Water Services is specifically identified in a legal description (Exhibit A) and map (Exhibit B), attached to this Ordinance.
- Section 2.** The subject territory annexed by this Ordinance and described in Section 1 will be added to the Clean Water Services district under ORS 199.510(2)(c).
- Section 3.** The applicant has demonstrated that the annexation of the territory proposed to be annexed meets all applicable requirements, as documented in Exhibit 1 to the City Council Staff Report.
- Section 4.** Upon annexation, the Comprehensive Plan zoning designation of Employment Industrial (EI) adopted via Ordinance 2010-014 implementing the Tonquin Employment Area Concept Plan, will apply to all of the territory proposed to be annexed.
- Section 5.** Pursuant to ORS 222.520 and 222.120(5), the City Council declares that upon the effective date of the annexation, all of the annexed territory will be withdrawn from the Washington County Service Districts for Enhanced Law Enforcement.
- Section 6.** All of the territory proposed to be annexed is hereby declared annexed to the City of Sherwood.

**Section 7.** All of the territory proposed to be annexed is hereby declared annexed to the Clean Water Services District.

**Section 8.** This Ordinance shall become effective 30 days from its adoption.

**Duly passed by the City Council this 15<sup>th</sup> of March, 2022.**

  
Keith Mays, Mayor

3/15/22  
Date

Attest:

  
Sylvia Murphy, MMC, City Recorder

	<u>AYE</u>	<u>NAY</u>
Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Brouse	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Garland	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rosener	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mays	<input checked="" type="checkbox"/>	<input type="checkbox"/>



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October 20, 2021

Job No. 6107

LEGAL DESCRIPTION for Annexation

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 25, 1995  
MICHAEL D. RENNICK  
2718

RENEWS: DECEMBER 31, 2022

### EXHIBIT "A"

A tract of land for City Annexation purposes in the Northwest 1/4 of Section 33, Township 2 South, Range 1 West, Willamette Meridian, in Washington County, Oregon, described as follows:

All of those tracts of land described in Statutory Warranty Deeds to Sherwood Commerce Center, L.L.C., recorded September 10, 2020, as Document Nos. 2020-087327 and 2020-087329 and a portion of that tract of land described in Statutory Warranty Deed to Sherwood Commerce Center, L.L.C., recorded May 20, 2021 as Document No. 2021-059814, Washington County Records, more particularly described as follows:

Beginning at the Northwest corner of the Northeast 1/4 of the Northwest 1/4 of said Section 33, thence parallel with the West line of said Section 33, South 660 feet, more or less, to the Southwest corner of said Document No. 2020-087327;


Thence along the South line of said Document No. 2020-087327 and continuing along the South line of said Document No. 2020-087329, East 1320 feet, more or less to the Southeast corner thereof;

Thence along the East line of said Document No. 2020-087329, North 660 feet, more or less, to the North quarter corner of said Section 33;

Thence along the North line of said Section 33, West, 1320 feet more or less to the Point of Beginning.

Containing therein 20 acres, more or less.

**ANNEXATION CERTIFIED**

BY 

**OCT 25 2021**

**WASHINGTON COUNTY A & T  
CARTOGRAPHY**

ANNEXATION CERTIFIED

BY VF

OCT 25 2021

WASHINGTON COUNTY A & T  
CARTOGRAPHY

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