

MILWAUKIE PLANNING
 6101 SE Johnson Creek Blvd
 Milwaukie OR 97206
 503.786.7630
 planning@milwaukieoregon.gov

Expedited Annexation Application Instructions

→ CLOSED TO PUBLIC

DROP OFF AT BOX
 6101 SE JOHNSON CREEK BLVD.

Process

Step 1: Preapplication Meeting

A preapplication meeting is required prior to the submission of an expedited annexation application. Please call 503-786-7630 for assistance. All required materials and any applicable fees must be submitted at the time of scheduling.

Step 2: Annexation Petition

100% of the property owners and at least 50% of the registered voters, if any, within the territory to be annexed must consent to the proposed annexation by signing the Annexation Petition. If ownership is in question, a title report may be required.

Step 3: County Certification

- ✓ An annexation petition must be accompanied by the following three county-certified documents:
 - ✓ • Certification of Property Ownership
 - ✓ • Certification of Legal Description and Map: *This document must be accompanied by the legal description for the territory and two full-size certified quarter section tax maps // TAX ASSESSOR @ TAM MUNO*
 - ✓ • Certification of Registered Voters / *DOWN THE ROAD / MON - THUR 9-3 ↑*

The County Assessor certifies all the documents listed in the first two bullets. The County Elections Department certifies the document in the last bullet. If no registered voters reside in the territory to be annexed, the Certification of Registered Voters document still needs to be certified and submitted with the annexation petition.

Step 4: Annexation Application

The Application section on the next page describes the various documents that need to be submitted with an expedited annexation application. Applications are processed by the city's planning department at 6101 SE Johnson Creek Boulevard in Milwaukie. Please call 503-786-7630 for assistance. The expedited annexation application fee must be paid, and the required number of copies must be provided, at the time of application submission.

Step 5: Annexation Decision

An expedited annexation is not a land use action and does not require a public hearing. Expedited annexation petitions are decided by city Council at their regularly scheduled semimonthly meetings.

Step 6: Post-decision Notification and Filing

If approved by City Council, the city's zoning and land use designation are automatically applied according to the table on page 3, Zoning and Land Use Designations for Boundary Changes. The annexation is not effective, however, until it is filed with the Secretary of State. The city, Metro, and the state work together to notify all affected agencies, providers, and individuals.

Application

An expedited annexation application includes the following documents. Check with the planning department for the number of copies you will need to submit. Documents marked with an asterisk (*) are attached.

Document	Notes (where applicable)
1. City of Milwaukie Expedited Annexation Application*	
2. Annexation petition*	
3. One <u>reduced</u> County Assessor quarter section map	The reduced map should be 8.5" x 11" in size, and the territory to be annexed should be outlined in red.
4. Legal Description	This description should be inserted in, or attached to, the Annexation Petition. A lot, block, and subdivision description may be submitted in lieu of the metes and bounds description if the area is platted and this is acceptable to the County Assessor. If the legal description contains any deed or book and page references, legible copies of these documents must be submitted with the legal description.
5. Clackamas County certification: a. Property ownership* b. Legal description and map* c. Registered voters*	
6. Notice list*	This list should contain all property owners and all registered voters in the territory to be annexed, including those that have not signed the Annexation Petition.
7. Code section narrative*	A list of all applicable code sections is provided on the next page. The actual code language that needs to be addressed is provided on the last page of this packet.
8. Census form*	This should be attached to the Annexation Petition.

Documents marked with an asterisk () are attached.

Code Sections

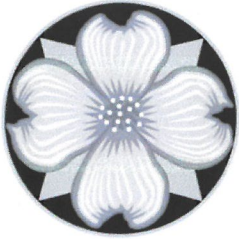
The following list identifies all applicable code sections that must be addressed in the annexation application narrative. All applicable Milwaukie Municipal Code (MMC), Metro Code, and Milwaukie Comprehensive Plan sections are available upon request. Please check with city staff for guidance on how to address a specific code or policy section.

- MMC Section 19.1104.1.A.5
- MMC Section 19.1102.3.A–F
- Metro Code Section 3.09.050(d)
- MCP Chapter 6

Zoning and Land Use Designations

Please consult with the city's planning department if you have any questions about the allowed uses or development standards that are associated with the zoning designation that would be applied to the annexation property through the expedited annexation process. It is possible, for example, that upon annexation, existing uses or structures may not conform to the city's development code. Nonconforming uses and structures are allowed to continue and be maintained in reasonable repair but are not allowed to undergo alteration or extension without staff or Planning Commission review and approval. Uses or structures that were not legally established in the county are not made legal upon annexation to the city.

from Table 19.1104.1.E Zoning and Land Use Designations for Boundary Changes		
Existing County Zoning Designation	Assigned City Zoning Designation	Assigned City Land Use Designation
R-20	R-10	Low density residential
R-15	R-10	Low density residential
R-10	R-10	Low density residential
R-8.5	R-7	Low density residential
R-7	R-7	Low density residential
MR1	R-2	Medium density residential
MR2	R-2	Medium density residential
PMD	R-1-B	High density residential
HDR	R-1-B	High density residential
SHD	R-1	High density residential
C3	C-G	Commercial
OC	C-L	Commercial
RTL	C-L	Commercial
PC	C-CS	Commercial
LI	BI	Industrial
GI	M	Industrial
BP	BI	Industrial
OSM	R-10/CSU	Public



MILWAUKIE PLANNING
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Expedited Annexation Application

File # _____

RESPONSIBLE PARTIES:

APPLICANT (owner or other eligible applicant): <u>PATRICIA A. BATEMAN</u>	
Mailing address: <u>5800 SE MORRIS ST. PORTLAND</u>	Zip: <u>97206</u>
Phone(s): <u>971-570-8510</u>	Email: <u>patti.bateman@me.com</u>
APPLICANT'S REPRESENTATIVE (if different than above):	
Mailing address:	Zip:
Phone(s):	Email:

SITE INFORMATION:

Address(es): <u>5800 SE MORRIS ST.</u>	Map & Tax Lot(s): <u>LOT 1 AND 2, BLOCK 2, STANLEY</u>
Existing County zoning: ... <u>R7</u>	Proposed City zoning: <u>R7</u> Property size: <u>.22 ACRES.</u>
Existing County land use designation: ... <u>LOW DENSITY RESIDENTIAL</u>	Proposed City land use designation: <u>LOW DENSITY RESIDENTIAL</u>

PROPOSAL (describe briefly):

ANNEX INTO CITY OF MILWAUKIE

LIST OF ALL CURRENT UTILITY PROVIDERS:

Check all that apply (do not list water or sewer service providers)

Cable, internet, and/or phone:	<input type="checkbox"/> Comcast	<input checked="" type="checkbox"/> CenturyLink
Energy:	<input checked="" type="checkbox"/> PGE	<input checked="" type="checkbox"/> NW Natural Gas
Garbage hauler:	<input type="checkbox"/> Waste Management	<input checked="" type="checkbox"/> Hoodview Disposal and Recycling
	<input type="checkbox"/> Wichita Sanitary	<input type="checkbox"/> Oak Grove Disposal <input type="checkbox"/> Clackamas Garbage
<input type="checkbox"/> Other (please list):		

SIGNATURE:

ATTEST: I am the property owner, or I am eligible to initiate this application per Milwaukie Municipal Code (MMC) Subsection 19.1001.6.A. I have attached all owners' and voters' authorizations to submit this application. I understand that uses or structures that were not legally established in the County are not made legal upon annexation to the City. To the best of my knowledge, the information provided within this application package is complete and accurate.

Submitted by: *Patricia Bateman* Date: _____

CONTINUED ON REVERSE

RESET

THIS SECTION FOR OFFICE USE ONLY:

File #:	Fee: \$	Receipt #:	Recd. by:	Date stamp:
Associated application file #'s:				
Neighborhood District Association(s):				
Notes (include discount if any):				

**CERTIFICATION OF PROPERTY OWNERSHIP OF
100% OF LAND AREA**

I hereby certify that the attached petition contains the names of the owners¹ (as shown on the last available complete assessment roll) of 100% of the land area of the territory proposed for annexation as described in the attached petition.

Name _____

Title _____

Department _____

County of _____

Date _____

¹ Owner means the legal owner of record or, where there is a recorded land contract which is in force, the purchaser thereunder. If a parcel of land has multiple owners, each consenting owner shall be counted as a percentage of their ownership interest in the land. That same percentage shall be applied to the parcel's land mass and assessed value for purposes of the consent petition. If a corporation owns land in territory proposed to be annexed, the corporation shall be considered the individual owner of that land.

File No.: 21-120367

Grantor
James Sievers and Jill Sievers
Grantee
Patricia Bateman
After recording return to
Patricia Bateman 5800 SE Morris Street Portland, OR 97206
Until requested, all tax statements shall be sent to
SAME AS ABOVE

Reserved for Recorder's Use

STATUTORY WARRANTY DEED

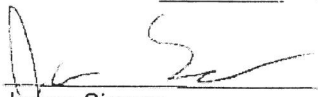
James Sievers and Jill Sievers, as tenants by the entirety, Grantor(s) convey and warrant to Patricia Bateman, Grantee(s), the real property described in the attached Exhibit A, free of encumbrances EXCEPT covenants, conditions, restrictions, easements, and encumbrances of record as of the date hereof.

The true consideration for this conveyance is **\$554,000.00**. (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

WFG Title 21-120367 358 SS

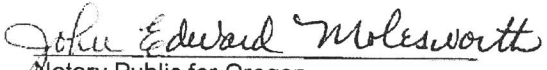
Executed this 19TH day of February, 2021


James Sievers


Jill Sievers

STATE OF OREGON
COUNTY OF CLACKAMAS

This instrument was acknowledged before me this 19TH day of February, 2021 by James Sievers and Jill Sievers.


Notary Public for Oregon
My Commission Expires: July 29, 2022

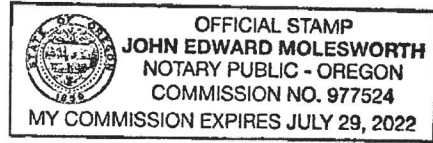


EXHIBIT "A"
LEGAL DESCRIPTION

Lots 1 and 2, Block 2, Stanley, in the County of Clackamas and State of Oregon.





STATE OF OREGON }
COUNTY OF CLACKAMAS } ss.

I, SHERRY HALL, County Clerk of the State of Oregon for the County of Clackamas, do hereby certify that the foregoing copy of
Deed Records 3pg
2021-020163

has been by me compared with the original, and that is a correct transcript therefrom, and the whole of such original, as the name appears on file and of record in my office and in my care and custody.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal this 1st day of April, 2021


SHERRY HALL, Clerk

By: Melissa Taylor
Melissa Taylor, Deputy Clerk

PETITION SIGNERS

NOTE: This petition may be signed by qualified persons even though they may not know their property description or voter precinct number.

*PO = Property Owner RV = Registered Voter OV = Owner and Registered Voter

SIGNATURE	PRINTED NAME	I AM A:*			DATE
		PO	RV	OV	
	PATRICIA BAITEMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
PROPERTY ADDRESS	PROPERTY DESCRIPTION				VOTER PRECINCT #
	TOWNSHIP	RANGE	¼ SEC.	LOT #(S)	
5800 SE MORRIS STREET				1 AND 2	420

SIGNATURE	PRINTED NAME	I AM A:*			DATE
		PO	RV	OV	
PROPERTY ADDRESS	PROPERTY DESCRIPTION				VOTER PRECINCT #
	TOWNSHIP	RANGE	¼ SEC.	LOT #(S)	

SIGNATURE	PRINTED NAME	I AM A:*			DATE
		PO	RV	OV	
PROPERTY ADDRESS	PROPERTY DESCRIPTION				VOTER PRECINCT #
	TOWNSHIP	RANGE	¼ SEC.	LOT #(S)	

SIGNATURE	PRINTED NAME	I AM A:*			DATE
		PO	RV	OV	
PROPERTY ADDRESS	PROPERTY DESCRIPTION				VOTER PRECINCT #
	TOWNSHIP	RANGE	¼ SEC.	LOT #(S)	

SIGNATURE	PRINTED NAME	I AM A:*			DATE
		PO	RV	OV	
PROPERTY ADDRESS	PROPERTY DESCRIPTION				VOTER PRECINCT #
	TOWNSHIP	RANGE	¼ SEC.	LOT #(S)	

SIGNATURE	PRINTED NAME	I AM A:*			DATE
		PO	RV	OV	
PROPERTY ADDRESS	PROPERTY DESCRIPTION				VOTER PRECINCT #
	TOWNSHIP	RANGE	¼ SEC.	LOT #(S)	

**EXPEDITED ANNEXATION
PETITION OF OWNERS OF 100% OF LAND AREA
AND PETITION OF AT LEAST 50% OF REGISTERED VOTERS**

TO: The Council of the City of Milwaukie, Oregon

RE: Petition for Annexation to the City of Milwaukie, Oregon

We, the petitioners (listed on reverse), are property owners of and/or registered voters in the territory described below. We hereby petition for, and give our consent to, annexation of this territory to the City of Milwaukie.

This petition includes a request for the City to assign a zoning and land use designation to the territory that is based on the territory's current zoning designation in the County, pursuant to the City's expedited annexation process.

The territory to be annexed is described as follows:

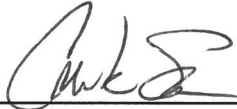
(Insert legal description below OR attach it as Exhibit "A")

EXHIBIT "A"
LEGAL DESCRIPTION

Lots 1 and 2, Block 2, Stanley, in the County of Clackamas and State of Oregon.

CERTIFICATION OF LEGAL DESCRIPTION AND MAP

I hereby certify that the description of the territory included within the attached petition (located on Assessor's Map 152E 30 AD) has been checked by me. It is a true and exact description of the territory under consideration and corresponds to the attached map indicating the territory under consideration.

Name 
Title GIS Cartographer
Department Tax Assessment
County of Clackamas
Date 4/11/2021

NOTICE LIST

(This form is NOT the petition)

LIST THE NAMES AND ADDRESSES OF ALL PROPERTY OWNERS AND REGISTERED VOTERS IN THE TERRITORY PROPOSED FOR ANNEXATION.

	Name of Owner/Voter	Mailing Street Address	Property Address
		Mailing City/State/Zip	Property Description <small>(township, range, ¼ section, and tax lot)</small>
1	PATRICIA BATEMAN	5800 SE MORRIS ST. PORTLAND, OR 97206	STANLEY, CLATSOP CO. LOT 1 AND 2, BLOCK 2
2			
3			
4			
5			
6			
7			
8			
9			
10			

	Name of Owner/Voter	Mailing Street Address	Property Address
		Mailing City/State/Zip	Property Description <small>(township, range, ¼ section, and tax lot)</small>
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			

CERTIFICATION OF REGISTERED VOTERS

I hereby certify that the attached petition contains the names of at least 50% of the electors registered in the territory proposed for annexation as described in the attached petition.

Name Tiffany Clark
Title deputy clerk
Department Elections
County of Clackamas
Date 4-1-2021

CERTIFIED COPY OF THE ORIGINAL
SHERRY HALL, COUNTY CLERK
BY: Tiffany Clark



EXPEDITED ANNEXATION CODE EXCERPTS

MILWAUKIE MUNICIPAL CODE SECTIONS

19.1104.1 Expedited Process

- A. A petition for any type of minor boundary change may be processed through an expedited process as provided by Metro Code Chapter 3.09.
 - 5. Approval criteria for annexations are found in subsection 19.1102.3.

19.1102.3 Annexation Approval Criteria. The city council shall approve or deny an annexation proposal based on findings and conclusions addressing the following criteria.

- A. The subject site must be located within the city urban growth boundary;
- B. The subject site must be contiguous to the existing city limits;
- C. The requirements of the Oregon Revised Statutes for initiation of the annexation process must be met;
- D. The proposal must be consistent with Milwaukie comprehensive plan policies;
- E. The proposal must comply with the criteria of Metro Code Sections 3.09.050(d) and, if applicable, (e).
- F. The proposal must comply with the criteria of Section 19.902 for Zoning Map Amendments and Comprehensive Plan Map Amendments, if applicable.

METRO CODE SECTIONS

3.09.050 Hearing & Decision Requirements for Decisions Other Than Expedited Decisions.

- (d) To approve a boundary change, the reviewing entity shall apply the criteria and consider the factors set forth in subsections (d) and (e) of Section 3.09.045.

MILWAUKIE COMPREHENSIVE PLAN

Chapter 6: City Growth and Governmental Relationships; City Growth Element

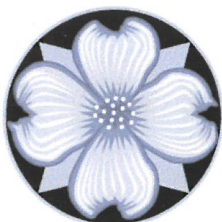
Goal Statement: To identify the City's future planning and service area, establish the respective responsibilities for reviewing and coordinating land use regulations and actions within the area, and determine the most cost-effective means to provide the full range of urban services within the area.

Applicant Response

The proposal meets the applicable requirements listed above.

X 

(Applicant's Signature)

**MILWAUKIE PLANNING DEPARTMENT**

6101 SE Johnson Creek Blvd
 Milwaukie, OR 97206
 503.786.7600
 planning@milwaukieoregon.gov

Confidential Census Form

Date:	Street Address:	
Housing Type: (Use one form per housing unit)	<input checked="" type="checkbox"/> Single-Family Structure <input type="checkbox"/> Multi-Family Structure <input type="checkbox"/> Mobile Home <input type="checkbox"/> Group Housing <input type="checkbox"/> Other Housing	Occupancy: <input checked="" type="checkbox"/> Owner-Occupied <input type="checkbox"/> Renter-Occupied <input type="checkbox"/> Seasonal <input type="checkbox"/> Vacant
Number of Residents: []		

If you indicated Group Housing or Other Housing above, please complete the appropriate table below.

Group Housing
Facility Type: <input type="checkbox"/> Adult Correctional Facility <input type="checkbox"/> Juvenile Facility e.g., group home, correctional or non-correctional <input type="checkbox"/> College/University Student Housing Includes off-campus housing owned by a college/university <input type="checkbox"/> Military Quarters <input type="checkbox"/> Other Institutional Facility e.g., psychiatric hospitals, inpatient hospice facilities <input type="checkbox"/> Nursing/Skilled-Nursing Facility e.g., assisted living and memory care <input type="checkbox"/> Non-Institutional Facility e.g., emergency and transitional shelters, residential treatment centers for adults, religious group quarters
Facility Name:

Other Housing
Housing Unit Type: <input type="checkbox"/> Camper/RV <input type="checkbox"/> Car/Van <input type="checkbox"/> Tent <input type="checkbox"/> Motels/Hotels <input type="checkbox"/> Houseboat <input type="checkbox"/> Other Boat <input type="checkbox"/> Other, please specify: _____

The information you share on this form is being collected for use by the Portland State University Population Research Center. For questions about the way these census data are used, please contact the Population Research Center at 503-725-3922.