



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

Expedited Annexation Application

File # A-2021-005

RESPONSIBLE PARTIES:

APPLICANT (owner or other eligible applicant): <u>Mark Hayward</u>	
Mailing address: <u>18960 S HWY 99E OR CITY WA</u> Zip: <u>97045</u>	
Phone(s): <u>503-656-3337</u>	Email:
APPLICANT'S REPRESENTATIVE (if different than above):	
Mailing address:	
Zip:	
Phone(s):	Email:

SITE INFORMATION:

Address(es): <u>5911 SE Willow St.</u>	Map & Tax Lot(s): <u>1S2E30AD09702</u>
Existing County zoning: ... <u>R10</u>	Proposed City zoning: <u>R-10</u> Property size: <u>0.23 acres</u>
Existing County land use designation: ... <u>LDR</u>	Proposed City land use designation: <u>LD</u>

PROPOSAL (describe briefly):

Annex to connect to city sewer.

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 type="checkbox"/> CenturyLink
Energy:	<input checked="" type="checkbox"/> PGE	<input 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: [Signature] Date: 6/12/21

CONTINUED ON REVERSE

RESET


THIS SECTION FOR OFFICE USE ONLY:

File #: A-2021-005 Fee: \$ \$150	Receipt #:	Recd. by:	Date stamp:
Associated application file #'s:			June 16, 2021 (payment made)
Neighborhood District Association(s): Lewelling			
Notes (include discount if any): Area = 0.23 acres Tax Code = 012-229			

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	
	<i>MARK HAYWARD</i>	<input checked="" type="checkbox"/>			6/14/2021
PROPERTY ADDRESS	PROPERTY DESCRIPTION				VOTER PRECINCT #
	TOWNSHIP	RANGE	¼ SEC.	LOT #(S)	
5411 SE Willow St	15	2E	30DA	9702	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)	

**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 *Adrian*
Title *Cartographer II*
Department *Tax Assessment*
County of *Clackamas*
Date *6/15/21*

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.

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 12E30DA) 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 Chick Sm
Title Cartographer II
Department Tax Assessor
County of Clackamas
Date 6/15/21

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 Rebekah Stern Doll
Title Deputy Clerk
Department Elections
County of Clackamas
Date June 15, 2021

*There are no active voters at
5911 SE Willow St, Milwaukie, OR*



WARRANTY DEED - STATUTORY FORM
Individual/Corporate

Escrow Number: 4418374

Roxanne L. Howlett

Grantor, conveys and warrants to

Mark Hayward

Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in Clackamas County, Oregon:

See Attached Legal Description Exhibit "A".

The above described property is free from encumbrances except covenants, conditions, restrictions, rights of way, easements and reservations now of record.

The true and actual consideration for this conveyance is \$ 37,500.00

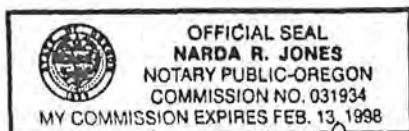
Dated this 23rd day of February, 1995 ; if this deed is given by a corporate grantor, its name is signed by its authorized officers by authority of the Board of Directors.

Roxanne L. Howlett
Roxanne L. Howlett

THIS INSTRUMENT WILL 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 APPROVED USES.

STATE OF OREGON, County of
Personally appeared Roxanne L.
Howlett

STATE OF OREGON, County of
Personally appeared



who, being duly sworn, each for himself and not one for the other, did say that the former is the pres. & that the latter is the secretary of

instrument to be her and acknowledged the foregoing voluntary act and deed.

and that this instrument was signed on behalf of the corporation, by authority of its board of directors and is acknowledged to be its voluntary act and deed.

Before me: February 27, 1995
Narda R. Jones

Notary Public for Oregon February 13, 1998
My commission expires:

Notary Public for Oregon
My commission expires:

After recording return to:

Mr. Mark Hayward
5903 SE Willow
Milwaukie, Oregon 97222

Until a change is requested all tax statements shall be sent to the following address.

Mr. Mark Hayward
5903 SE Willow
Milwaukie, Oregon 97222

STATE OF OREGON.

County of _____
I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____, on page _____ or as fee/file instrument/microfilm/reception No. _____ Records of Deeds of said county.
Witness my hand and seal of County affixed.

BY _____ N 95-011826 ✓

TRANSAMERICA
TITLE INSURANCE 4418374
01/32/07

Description:

PARCEL I:

The North 10.5 feet of the East 76.65 feet of that tract conveyed to Colleen Sweeney, by Deed recorded March 27, 1978, Recorder's Fee No. 78 12381, said Sweeney tract being more particularly described as follows:

Part of the Hector Campbell Donation Land Claim No. 41, in Township 1 South, Range 2 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at the Southwest corner of certain tract conveyed to John E. Taylor and Anna M. Taylor, by deed recorded March 4, 1942 in Book 291, page 51, which beginning point is North along the West side of Wichita Road, 1654.00 feet and West 456.00 feet from the Southeast corner of that certain tract conveyed to School District No. 119, by Deed recorded May 21, 1909 in Book 109, Page 128; to the place of beginning; thence South along the Easterly line of Hollywood Park, according to the duly recorded plat thereof, 10 feet, more or less, to the Northwest corner of that certain tract conveyed to Fred Gedlich and Louise Gedlich, by Deed recorded August 26, 1949 in Book 422, Page 496; thence East 110 feet along the North line of said Gedlich tract to the Northeast corner thereof; thence South along the East line of said Gedlich tract to the Northeast corner thereof; thence South along the East line of the said Gedlich tract, 110 feet to the North line of that certain tract conveyed to Theron J. Smith and Elida Smith, by Deed recorded April 1, 1942 in Book 292, Page 163; thence East along the North line of said Smith tract, 125 feet to a point; thence North parallel with the Easterly line of Hollywood Park, 120 feet, more or less, to the Southeast corner of the aforementioned Taylor tract; thence West along the South line of said Taylor tract, 235 feet to the place of beginning.

TOGETHER WITH an easement for ingress and egress over the North 10 feet of the Sweeney tract described under Recorder's Fee No. 78 12381, EXCEPT the North 10.5 feet of the East 76.65 feet thereof.

PARCEL II:

The Easterly 76.65 feet of the following described tract of land:

A tract of land in Section 30, Township 1 South, Range 2 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at a point which is the Southeast corner of that certain tract of land described in deed recorded in Book 109, Page 126, of

Pt 9702

Remainder
9702

-980
the Deed Records of Clackamas County, Oregon wherein T.S. Mullan and Mary Mullan are the grantors and School District No. 119 is the grantee; running thence 1774 feet Northerly along the Westerly line of Wichita Road to a point; thence 456.0 feet, more or less, Westerly, to a point in the Easterly line of Hollywood Park, which is 1043 feet Southerly from the Northeasterly corner of said Hollywood Park; being the true point of beginning of the land herein described thence Southerly along the Easterly line of said Hollywood Park, 120 feet to a point; thence Easterly and parallel with the Northerly line of that certain tract of land described in deed recorded in Book 214, Page 461 of the Deed records of Clackamas County, Oregon, and being the first of two tracts described in said deed; 235 feet to a point; thence Northerly and parallel with the Easterly line of said Hollywood Park, 120 feet to a point in the Northerly line of said tract described in Deed Book 214, Page 461; thence Westerly 235 feet to the point of beginning. EXCEPTING THEREFROM the Westerly 75.0 feet conveyed to George B. Miller, et ux, by deed recorded September 11, 1951 in Book 448, Page 423, Deed Records.

TOGETHER WITH an easement for roadway over the Southerly 10 feet of that tract conveyed to George B. Miller, et ux, by deed recorded September 11, 1951 in Book 448, Page 423, Deed Records.

ALSO TOGETHER WITH an easement for ingress, egress and utilities, for the benefit of Parcel II as described above, over the South 10 feet of the following described property.

The West 83.35 feet of that tract of land herein described.

A tract of land in Section 30, Township 1 South, Range 2 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at a point which is the Southeast corner of that certain tract of land described in deed recorded in Book 109, Page 126, of the Deed Records of Clackamas County, Oregon, wherein T. S. Mullan and Mary Mullan are the grantors and School District No. 119 is the grantee; running thence 1774 feet Northerly along the Westerly line of Wichita Road to a point; thence 456.0 feet, more or less, Westerly, to a point in the Easterly line of Hollywood Park, which is 1043 feet Southerly from the Northeasterly corner of said Hollywood Park; being the true point of beginning of the land herein described thence Southerly along the Easterly line of said Hollywood Park, 120 feet to a point; thence Easterly and parallel with the Northerly line of that certain tract of land described in deed recorded in Book 214, Page 461 of the Deed Records of Clackamas County, Oregon, and being the first of two tracts described in said deed; 235 feet to a point; thence Northerly and parallel with the Easterly line of said Hollywood Park, 120 feet to a point in the Northerly line of said tract described in Deed Book 214, Page 461; thence Westerly 235 feet to the point of beginning. EXCEPTING THEREFROM the Westerly 75.0 feet conveyed to

George B. Miller, et ux, by deed recorded September 11, 1951 in Book
448, Page 423, Deed Records.

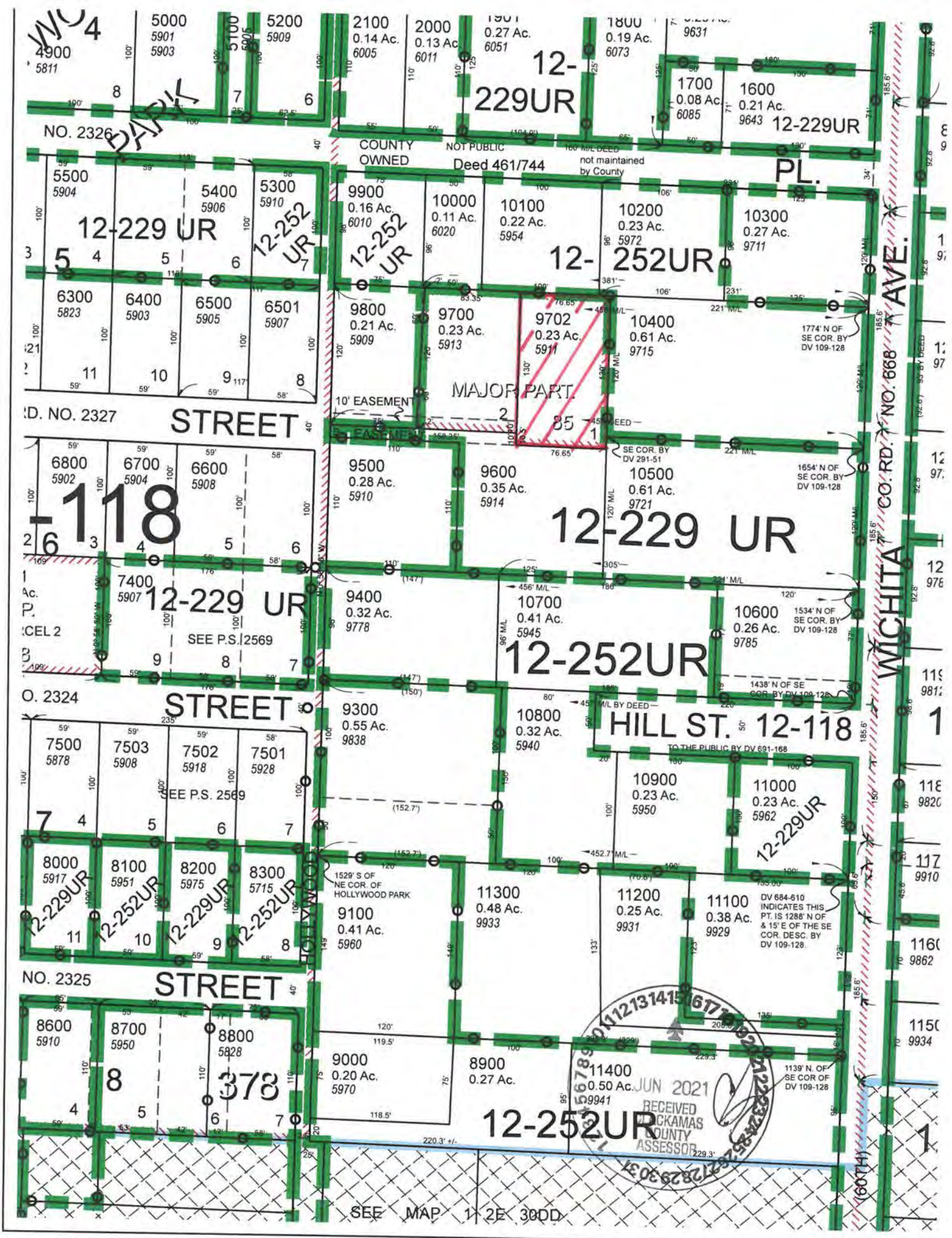
STATE OF OREGON 95-011826
CLACKAMAS COUNTY
Received and placed in the public
records of Clackamas County
RECEIPT# AND FEE: 16976 \$40.00
DATE AND TIME: 03/01/95 02:37 PM
JOHN KAUFFMAN, COUNTY CLERK

4

Dated February 2, 1995

Page 4

C113260T



NO. 4
4900
5811

5000
5901
5903

5200
5909

2100
0.14 Ac.
6005

2000
0.13 Ac.
6011

1901
0.27 Ac.
6051

1800
0.19 Ac.
6073

9631

12-
229UR

1700
0.08 Ac.
6085

1600
0.21 Ac.
9643

12-229UR

NO. 2326

COUNTY OWNED
NOT PUBLIC
Deed 461/744
not maintained
by County

PL.

12-229 UR

12-252 UR

12-252 UR

12-252UR

5500
5904

5400
5906

5300
5910

9900
0.16 Ac.
6010

10000
0.11 Ac.
6020

10100
0.22 Ac.
5954

10200
0.23 Ac.
5972

10300
0.27 Ac.
9711

6300
5823

6400
5903

6500
5905

6501
5907

9800
0.21 Ac.
5909

9700
0.23 Ac.
5913

9702
0.23 Ac.
5911

10400
0.61 Ac.
9715

D. NO. 2327

STREET

MAJOR PART

10' EASEMENT

1118

12-229 UR

12-229 UR

6800
5902

6700
5904

6600
5908

9500
0.28 Ac.
5910

9600
0.35 Ac.
5914

10700
0.41 Ac.
5945

10600
0.26 Ac.
9785

7400
5907

9400
0.32 Ac.
9778

10700
0.41 Ac.
5945

10600
0.26 Ac.
9785

O. 2324

STREET

12-252UR

HILL ST. 12-118

7500
5878

7503
5908

7502
5918

7501
5928

9300
0.55 Ac.
9838

10800
0.32 Ac.
5940

8000
5917

8100
5951

8200
5975

8300
5715

9100
0.41 Ac.
5960

11300
0.48 Ac.
9933

11200
0.25 Ac.
9931

11100
0.38 Ac.
9929

12-229UR

12-252UR

12-229UR

12-252UR

12-229UR

NO. 2325

STREET

8600
5910

8700
5950

8800
5828

9000
0.20 Ac.
5970

8900
0.27 Ac.

8

378

12-252UR

RECEIVED
JUN 2021
JACKSON COUNTY
ASSESSOR

SEE MAP 1" = 200 FT.

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.

	Mailing Street Address		Property Address
	Name of Owner/Voter	Mailing City/State/Zip	Property Description <small>(township, range, ¼ section, and tax lot)</small>
1	MARK HAYWARD 100%	# my address	5911 SE Willow St. 152E30DA09702
2			
3			
4			
5			
6			
7			
8			
9			
10			

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)