

ORDINANCE NO. 842

AN ORDINANCE APPROVING ANNEXATION OF PROPERTY TO THE CITY OF SCAPPOOSE, AMENDING THE ZONING MAP, AND CALLING AN ELECTION

WHEREAS, an application was filed by Scappoose Holding, LLC. to annex property described in Exhibit A, attached hereto and incorporated herein, to the City of Scappoose; and

WHEREAS, pursuant to Section 17.136.070 of the Scappoose Municipal Code, the property described in Exhibit A would automatically be zoned Light Industrial (LI) upon annexation due to the property's "Industrial" Comprehensive Plan designation; and

WHEREAS, hearings were held pursuant to Scappoose Municipal Code Chapters 17.22 and 17.136; and

WHEREAS, pursuant to Section 17.136.030 of the Scappoose Municipal Code, annexations must be referred to the voters of the City for approval; now therefore,

THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

Section 1. The application to annex the property described in Exhibit A is hereby approved, subject to approval by the voters of the City. Pursuant to ORS 222.160, the Exhibit A property will be declared by Resolution to be annexed to the City of Scappoose if the Columbia County Elections Officer certifies that the majority of voters in the City approve the measure.

Section 2. Pursuant to Scappoose Municipal Code Chapter 17.136, annexation of the Exhibit A property will be submitted to Columbia County to be placed on the November 3, 2015 ballot. The ballot title for such measure is herein adopted, and attached hereto as Exhibit B.

Section 3. In support of the above annexation, the City Council hereby adopts the findings, conclusions and recommendations of the Staff Report dated June 29, 2015, attached as Exhibit C.

Section 4. The annexation approved by this Ordinance shall take effect upon the date of certification of the election approving the annexation measure.

Section 5. Upon certification of the election on annexation, the City Planner is directed to conform the City Zoning Map to the provisions of this ordinance.

PASSED AND ADOPTED by the City Council this 3rd day of August, 2015, and signed by the Mayor and City Recorder in authentication of its passage.

CITY OF SCAPPOOSE, OREGON




Scott Burge, Mayor

First Reading: July 20, 2015

Second Reading: August 3, 2015

Attest:



Susan M. Reeves, MMC, City Recorder

Exhibit A

Legal description of property to be annexed and zoned Light Industrial

Columbia County Assessor Map No. 3201-CO-00600, 3201-CO-03100, and 3201-CC-01700

Real property in the County of Columbia, State of Oregon, described as follows:

PARCEL 1: A PARCEL OF LAND LYING IN THE TIMOTHY LAMBERSON DONATION LAND CLAIM OF SECTIONS 1 AND 2, TOWNSHIP 3 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON AND BEING SPECIFICALLY ALL THE FOLLOWING DESCRIBED PROPERTY: THE SAID PARCEL BEING DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WESTERLY LINE OF THE TIMOTHY LAMBERSON DONATION LAND CLAIM, SAID POINT BEING THE INTERSECTION OF THE CENTER OF SCAPPOOSE CREEK AND SAID WESTERLY LINE OF SAID TIMOTHY LAMBERSON DONATION LAND CLAIM, SAID POINT ALSO BEING SOUTH 20°01' WEST 674.10 FEET FROM THE NORTHWEST CORNER OF SAID TIMOTHY LAMBERSON DONATION LAND CLAIM IN SECTION 2, TOWNSHIP 3 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON; THENCE ALONG THE CENTER OF SAID SCAPPOOSE CREEK AS FOLLOWS: SOUTH 27°25' EAST A DISTANCE OF 148.36 FEET; THENCE NORTH 46°11' EAST A DISTANCE OF 222.10 FEET; THENCE SOUTH 59°16' EAST A DISTANCE OF 364.70 FEET; THENCE NORTH 75°18' EAST A DISTANCE OF 135.60 FEET; THENCE SOUTH 33°25' EAST A DISTANCE OF 344.0 FEET; THENCE SOUTH 9°35' WEST A DISTANCE OF 232.90 FEET; THENCE SOUTH 81°21' EAST A DISTANCE OF 131.20 FEET; THENCE NORTH 84°27' EAST A DISTANCE OF 184.35 FEET; THENCE SOUTH 84°13' EAST A DISTANCE OF 241.12 FEET TO THE WEST LINE OF THAT TRACT OF LAND CONVEYED BY THE UNITED STATES NATIONAL BANK OF PORTLAND TO JASPER E. YOUNG BY DEED RECORDED IN BOOK 45, PAGE 287, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE SOUTH ALONG THE WEST LINE OF SAID JASPER E. YOUNG TRACT AND CONTINUATION THEREOF TO THE NORTHEASTERLY RIGHT OF WAY LINE OF THE PORTLAND & SOUTHWESTERN RAILROAD, THENCE WESTERLY FOLLOWING SAID NORTHEASTERLY RAILROAD RIGHT OF WAY TO THE WESTERLY LINE OF SAID TIMOTHY LAMBERSON DONATION LAND CLAIM; THENCE NORTH 20°01' EAST ALONG SAID WESTERLY LINE OF SAID TIMOTHY LAMBERSON DONATION LAND CLAIM A DISTANCE OF 112.38 FEET TO THE POINT OF BEGINNING. EXCEPTING THEREFROM THAT TRACT CONVEYED TO WALTER FRISCHMAN ET UX BY DEED RECORDED OCTOBER 9, 1950 IN BOOK 108, PAGE 473, DEED RECORDS OF COLUMBIA COUNTY, OREGON; AND ALSO EXCEPTING TRACT CONVEYED TO ROBERT H. DUDLEY ET UX BY DEED RECORDED MARCH 26, 1962 IN BOOK 148, PAGE 500, DEED RECORDS OF COLUMBIA COUNTY, OREGON.

PARCEL 2: A PARCEL OF LAND LYING IN THE TIMOTHY LAMBERSON DONATION LAND CLAIM IN SECTIONS 1 AND 2, TOWNSHIP 3 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON, AND BEING SPECIFICALLY ALL THE FOLLOWING DESCRIBED PROPERTY: THE SAID PARCEL BEING DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WESTERLY LINE OF THE TIMOTHY LAMBERSON DONATION LAND CLAIM, SAID POINT BEING THE INTERSECTION OF THE CENTER OF SCAPPOOSE CREEK AND SAID WESTERLY LINE OF SAID TIMOTHY LAMBERSON DONATION LAND CLAIM, SAID POINT ALSO BEING SOUTH 20°01' WEST 674.10 FEET FROM THE NORTHWEST CORNER OF SAID TIMOTHY LAMBERSON DONATION LAND CLAIM IN SECTION 2, TOWNSHIP 3 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON; THENCE ALONG THE CENTER OF SAID SCAPPOOSE CREEK AS FOLLOWS: SOUTH 27°25' EAST A DISTANCE OF 148.36 FEET; THENCE NORTH 46°11' EAST A DISTANCE OF 222.10 FEET; THENCE SOUTH 59°16' EAST A DISTANCE OF 364.70 FEET; THENCE NORTH 75°18' EAST A DISTANCE OF 135.60 FEET; THENCE SOUTH 33°25' EAST A DISTANCE OF 344.0 FEET; THENCE SOUTH 9°35' WEST A DISTANCE OF 232.90 FEET; THENCE SOUTH 81°21' EAST A DISTANCE OF 131.20 FEET; THENCE NORTH 84°27' EAST A DISTANCE OF 184.35 FEET; THENCE SOUTH 84°13' EAST A DISTANCE OF 241.12 FEET TO THE WEST LINE OF THAT TRACT OF LAND CONVEYED BY THE UNITED STATES NATIONAL BANK OF PORTLAND TO JASPER E. YOUNG BY DEED RECORDED IN BOOK 45, PAGE 287, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE SOUTH ALONG THE WEST LINE OF SAID JASPER E. YOUNG TRACT A DISTANCE OF 30.15 FEET TO THE TRUE POINT OF BEGINNING; THENCE

SOUTH 67°43' EAST ALONG THE SOUTHERLY UNE OF SAID JASPER E. YOUNG TRACT A DISTANCE OF 410.42 FEET; THENCE SOUTH TO THE NORTH LINE OF PARCEL 2 CONVEYED TO ALBERT BRAWAND BY DEED RECORDED MAY 3, 1956 IN BOOK 128, PAGE 484, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE NORTH 82°53' WEST A LONG THE NORTH UNE OF SAID BRAWAND TRACT TO THE NORTHEASTERLY RIGHT OF WAY UNE OF THE PORTLAND AND SOUTHWESTERN RAILROAD; THENCE WESTERLY ALONG THE SAID NORTHEASTERLY RAILROAD RIGHT OF WAY TO A POINT THAT IS DUE SOUTH OF THE TRUE POINT OF BEGINNING; THENCE NORTH TO THE TRUE POINT OF BEGINNING.

PARCEL 3: A PARCEL OF LAND LYING IN THE TIMOTHY LAMBERSON DONATION LAND CLAIM IN SECTIONS 1 AND 2, TOWNSHIP 3 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON, AND BEING SPECIFICALLY ALL THE FOLLOWING DESCRIBED PROPERTY: THE SAID PARCEL BEING DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WESTERLY LINE OF THE TIMOTHY LAMBERSON DONATION LAND CLAIM, SAID POINT BEING THE INTERSECTION OF THE CENTER OF SCAPPOOSE CREEK AND SAID WESTERLY LINE OF SAID TIMOTHY LAMBERSON DONATION LAND CLAIM, SAID POINT ALSO BEING SOUTH 20°01' WEST 674.01 FEET FROM THE NORTHWEST CORNER OF SAID TIMOTHY LAMBERSON DONATION LAND CLAIM IN SECTION 2, TOWNSHIP 3 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON; THENCE ALONG THE CENTER OF SAID SCAPPOOSE CREEK AS FOLLOWS: SOUTH 27°25' EAST A DISTANCE OF 148.36 FEET; THENCE NORTH 46°11' EAST A DISTANCE OF 222.10 FEET; THENCE SOUTH 59°16' EAST A DISTANCE OF 364.70 FEET; THENCE NORTH 75°18' EAST A DISTANCE OF 135.60 FEET; THENCE SOUTH 33°25' EAST A DISTANCE OF 344.0 FEET; THENCE SOUTH 9°35' WEST A DISTANCE OF 232.90 FEET; THENCE 81°21' EAST A DISTANCE OF 131.20 FEET; THENCE NORTH 84°27' EAST A DISTANCE OF 184.35 FEET; THENCE SOUTH 84°13' EAST A DISTANCE OF 241.12 FEET TO THE WEST UNE OF THAT TRACT OF LAND CONVEYED BY UNITED STATES NATIONAL BANK OF PORTLAND TO JASPER E. YOUNG BY DEED RECORDED IN BOOK 45, PAGE 287, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE SOUTH ALONG THE WEST UNE OF SAID JASPER E. YOUNG TRACT A DISTANCE OF 30.15 FEET; THENCE SOUTH 67°43' EAST ALONG THE SOUTHERLY UNE OF SAID JASPER E. YOUNG TRACT A DISTANCE OF 410.42 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 85°44' EAST ALONG THE SOUTH UNE OF SAID JASPER E. YOUNG TRACT A DISTANCE OF 1315.98 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE COLUMBIA RIVER HIGHWAY; THENCE SOUTH 3°40'30" EAST ALONG SAID WESTERLY RIGHT OF WAY UNE OF SAID COLUMBIA RIVER HIGHWAY A DISTANCE OF 670.60 FEET, SAID POINT BEING 40.00 FEET DISTANT WHEN MEASURED AT RIGHT ANGLES, FROM HIGHWAY ENGINEER'S CENTERLINE STATION 964+30; THENCE NORTH 82°53' WEST TO A POINT THAT IS DUE SOUTH OF THE POINT OF BEGINNING; THENCE NORTH TO THE TRUE POINT OF BEGINNING. EXCEPTING THEREFROM A TRACT CONVEYED TO HOMER A. GRISWOLD ET UX BY DEED RECORDED SEPTEMBER 6, 1950 IN BOOK 108, PAGE 254, DEED RECORDS OF COLUMBIA COUNTY, OREGON.

PARCEL 4: A PARCEL OF LAND IN SECTION 1, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS SOUTH 1393.8 FEET AND EAST 3827.8 FEET FROM THE SOUTHWEST CORNER OF THE TIMOTHY LAMBERSON DONATION LAND CLAIM, COLUMBIA COUNTY, OREGON; THENCE NORTH 3° 40 1/2' WEST 1505.30 FEET TO THE SOUTHEAST CORNER OF TRACT EXCEPTED IN DEED AS DESCRIBED IN DEED TO ALBERT BRAWAND, RECORDED DECEMBER 12, 1967 IN BOOK 167, PAGE 556, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE NORTH 80°41' WEST A DISTANCE OF 363.36 FEET TO A POINT THAT IS NORTH 11°45' EAST FROM THE NORTHEAST CORNER OF TRACT DESCRIBED IN DEED TO ALBERT BRAWAND RECORDED DECEMBER 11, 1968 IN BOOK 171, PAGE 902, DEED RECORDS OF COLUMBIA COUNTY, OREGON, AND THE TRUE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED TRACT; THENCE SOUTH 11°45' WEST TO THE NORTHEAST CORNER OF SAID BRAWAND TRACT AS DESCRIBED IN SAID DEED BOOK 171, PAGE 902; THENCE NORTH 82°53' WEST A DISTANCE OF 28.8 FEET TO A POINT; THENCE NORTH 83°15' WEST A DISTANCE OF 277.85 FEET TO A POINT, SAID POINT BEING ON THE WEST LINE OF THE HOMER A. GRISWOLD ET UX TRACT AS DESCRIBED IN DEED RECORDED SEPTEMBER 6, 1950 IN BOOK 108, PAGE 254, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE NORTH

30 35' WEST ALONG THE WEST LINE OF SAID GRISWOLD TRACT A DISTANCE OF 166.1 FEET TO THE SOUTHWEST CORNER OF THE ROY E. BAKER ET AL TRACT AS DESCRIBED IN DEED RECORDED MAY 15, 1974 IN BOOK 196, PAGE 231, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE SOUTH 58°37' EAST ALONG THE SOUTH LINE OF SAID BAKER ET AL TRACT A DISTANCE OF 338.57 FEET TO THE MOST SOUTHERLY SOUTHEAST CORNER OF SAID BAKER ET AL TRACT; THENCE NORTH 7°05' EAST ALONG THE EAST LINE OF SAID BAKER ET AL TRACT, A DISTANCE OF 11.1 FEET TO THE SOUTHWEST CORNER OF THE RIESTERER LUMBER PRODUCTS TRACT AS DESCRIBED IN INSTRUMENT RECORDED OCTOBER 10, 1966 IN BOOK 163, PAGE 106, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE SOUTH 80° 41' EAST ALONG THE SOUTH LINE OF SAID RIESTERER LUMBER PRODUCTS TRACT TO THE TRUE POINT OF BEGINNING.

PARCELS: A TRACT IN SECTION 1, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE COLUMBIA RIVER HIGHWAY, WHERE SAID WESTERLY RIGHT OF WAY LINE INTERSECTS THE NORTHERLY RIGHT OF WAY LINE OF THE PORTLAND & SOUTHWESTERN RAILROAD, SAID POINT BEING 40.0 FEET DISTANT (WHEN MEASURED AT RIGHT ANGLES) FROM HIGHWAY ENGINEERS CENTERLINE STATION 979+15.7; SAID POINT ALSO BEING SOUTH 1393.8 FEET AND EAST 3827.1 FEET FROM THE SOUTHWEST CORNER OF THE TIMOTHY LAMBERSON DONATION LAND CLAIM; THENCE NORTH 3°40'30" WEST PARALLEL TO AND 40.0 FEET DISTANT (WHEN MEASURED AT RIGHT ANGLES) FROM THE CENTERLINE OF THE COLUMBIA RIVER HIGHWAY A DISTANCE OF 1485.7 FEET AND NORTH 82°53' WEST 433.22 FEET TO THE TRUE POINT OF BEGINNING FOR THE FOLLOWING DESCRIBED PROPERTY; THENCE SOUTH 17°23' WEST A DISTANCE OF 840.74 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SAID PORTLAND & SOUTHWESTERN RAILROAD; THENCE NORTH 37°07' WEST ALONG SAID RAILROAD RIGHT OF WAY LINE A DISTANCE OF 821.22 FEET; THENCE ALONG SAID RAILROAD RIGHT OF WAY LINE ON A 2889.19 FOOT RADIUS CURVE LEFT, THE LONG CHORD OF WHICH BEARS NORTH 40°18' WEST A DISTANCE OF 352.33 FEET; THENCE SOUTH 82°53' EAST A DISTANCE OF 982.16 FEET TO THE POINT OF BEGINNING. EXCEPTING THEREFROM TRACT DESCRIBED IN INSTRUMENT RECORDED SEPTEMBER 24, 1971 IN BOOK 183, PAGE 697, DEED RECORDS OF COLUMBIA COUNTY, OREGON. ALSO EXCEPTING THEREFROM TRACTS DESCRIBED IN DEEDS TO THEODORE F. OMS ET UX, RECORDED OCTOBER 5, 1971 IN BOOK 183, PAGE 874, ANJ) RECORDED OCTOBER 6, 1911 IN BOOK 183, PAGE 892, DEED RECORDS OF COLUMBIA COUNTY, OREGON.

PARCEL 6: A 50 FOOT RIGHT OF WAY EASEMENT AS RESERVED IN CONTRACT RECORDED IN BOOK 183, PAGE 697, DEED RECORDS OF COLUMBIA COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS SOUTH 1393.8 FEET AND EAST 3827.8 FEET FROM SOUTHWEST CORNER OF THE TIMOTHY LAMBERSON DONATION LAND CLAIM IN SECTION 1, TOWNSHIP 3 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON; THENCE NORTH 3° 40 1/2' WEST 1505.30 FEET TO THE SOUTHEAST CORNER OF TRACT EXCEPTED IN DEED AS DESCRIBED IN DEED TO ALBERT BRAWAND RECORDED DECEMBER 12, 1967 IN BOOK 167, PAGE 556, DEED RECORDS OF COLUMBIA COUNTY, OREGON, AND THE TRUE POINT OF BEGINNING; THENCE NORTH 80° 41' WEST A DISTANCE OF 363.36 FEET TO A POINT THAT IS NORTH 11° 45' EAST FROM THE NORTHEAST CORNER OF TRACT DESCRIBED IN DEED TO ALBERT BRAWAND RECORDED DECEMBER 17, 1968 IN BOOK 171, PAGE 902, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE SOUTH 11° 45' WEST TO THE NORTHEAST CORNER OF SAID BRAWAND TRACT AS DESCRIBED IN DEED IN BOOK 171, PAGE 902, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE NORTH 82° 53' WEST A DISTANCE OF 28.8 FEET TO A POINT; THENCE NORTH 83° 15' WEST A DISTANCE OF 277.85 FEET TO A POINT; THENCE SOUTH 0° 17' WEST TO A POINT WHICH IS 50.0 FEET, WHEN MEASURED AT RIGHT ANGLES, FROM THE PROLONGATION NORTH 80° 41' WEST OF THE SOUTH LINE OF SAID TRACT EXCEPTED AS DESCRIBED IN DEED IN BOOK 167, PAGE 556, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE SOUTH 80° 41' EAST TO A POINT WHICH BEARS SOUTH 3° 40 1/2' EAST OF THE TRUE POINT OF BEGINNING; THENCE NORTH 3° 40 1/2' WEST TO THE TRUE POINT OF BEGINNING; EXCEPTING THEREFROM THAT PORTION LYING WITHIN THE COLUMBIA RIVER HIGHWAY.

**Exhibit B
Ballot Title**

NOTICE OF CITY MEASURE ELECTION

City of Scappoose
(Name of City)

Notice is hereby given on August 3, 2015 that a measure election will be held in Columbia County, Oregon on November 3, 2015,
(Name of county) (Date of election)

The following shall be the ballot title of the measure to be submitted to the county's voters on this date: November 3, 2015.

CAPTION (10 Words)

ANNEXATION OF INDUSTRIAL PROPERTY TO THE CITY OF SCAPPOOSE

QUESTION (20 Words)

Shall the described property be annexed to the City of Scappoose?

SUMMARY (175 Words)

Scappoose Holding, LLC has requested that the City annex approximately 22.4 acres of property to the City of Scappoose. The property is located northeast of the Scappoose-Vernonia Road and Bellcrest Road intersection, and is described as Columbia County Assessor Map No. 3201-CO-00600, 3201-CO-03100, and 3201-CC-01700. The property is located in the Scappoose Urban Growth Boundary and is contiguous to Scappoose City limits. Upon annexation, the property would be zoned Light Industrial (LI). The Scappoose Planning Commission and City Council have approved this annexation proposal.

The following authorized city official hereby certifies the above ballot title is true and complete, which includes completion of the ballot title challenge process.

Signature of authorized city official (not required to be notarized)

Date signed

Printed name of authorized city official

Title