

Columbia County Assessors Record of District Boundaries

Tuesday, March 06, 2007

Init Date: 12/21/06

Also See No.: .

No.: 2007 . 19

How Initially Received: LETTER FROM CITY OF ST HELENS

Affected District Name: St Helens City

Remarks:

District Ord No: 3009

Effective Date: 12/21/06

Name of Approving Jurisdiction: ST HELENS CITY

Jurisdiction Ord No:

Effective Date:

Legal Description Received: Y

Map Received: Y

If A School Dist, Has OAR 150-330.123 Been Filed:

If Non-SchoolDist, List LB-50 Valuation:

Type Of Action: A

With Whom

Correction Remarks:

DOR Approved: Y

No: 5-281-2006

Date: 01/12/07

Recording Information:

1) Col. Co. Deed Records:

Comm Journal:

2) Other : Name:

: Number:

Date:

Code Areas Affected or Changed:

Affected Area:

From Code Area: 02-08

Townships

Ranges

Sections

To Code Area: 02-01

4

1

05.400

Date Completed 01-19-07

Remarks:

COLUMBIA COUNTY ASSESSORS
RECORD OF DISTRICT BOUNDARIES

01/18/07

NO:2007.19 PAGE 1

DISTRICT NAME:ST HELENS CITY

TYPE OF ACTION :ANNEXATION

EFFECTIVE DATE:12/21/2006

DIST. ORD. #:3009

RECORDED:

---- LEGAL DESCRIPTION ----

410500000400

Beginning on the West line of the Aaron Broyles Donation Land Claim # 37, Section 5, Township 4 North of Range 1 West, Willamette Meridian, Columbia County, Oregon, North 22°38' West 1302.9 feet from the Southwest corner of said claim; North 68°20' East 433.5 feet; thence North 22°38' West 455.3 feet; thence South 66°30' West 433.50 feet; thence South 22°38' East 455.3 feet to point of beginning, Columbia County, Oregon, EXCEPTING THEREFROM a strip of land 24 feet in width for roadway along the South side as conveyed to Delmer B. Seal et al., by deed recorded June 1, 1955 in Book 125, page 610, Deed Records of Columbia County, Oregon.

IMPORTANT
This Map for Assessment
and Taxation Purposes
ONLY

2-08

SEC.05 T4N R1W WM
COLUMBIA COUNTY

410500
ST. HELENS

SEE MAP 5132 C

Scale 1" = 400'

SEE MAP 5132 D C

SEE MAP 5132 C D

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FIRST

STANDARD

PARALLEL

NORTH

32 33

5 4

SEE MAP

SEE MAP

SEE MAP

SEE MAP

415BB

415BA

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415BC

2-08

SEE MAP

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2-01

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01/19/07

CS # 841
35102

2-01

Ord. # 3009
Delashm...

N38°28'W
2443.2' FR.
SW COR.
BROYLES DLC

S73°16'W
31.99'

(N69°26'E)
N69°30'16"E

1373.41'

SEE MAP

600
4.60 AC.

SEE MAP

4 1 5 2 3

4 1 5 2

400
4.28 AC.

N38°28'W
1758.2' FR.
SW COR.
BROYLES DLC

2-08

1300
0.91 AC.

SEE MAP

SEE MAP

4 1 5 3 2

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COLUMBIA COUNTY ASSESSORS
RECORD OF DISTRICT BOUNDARIES

01/18/07

INIT DATE:12/21/2006

NO.:2007.19

HOW INITIALLY RECEIVED:LETTER FROM CITY OF ST HELENS
AFFECTED DISTRICT NAME:ST HELENS CITY
DISTRCT ORD. #:3009 EFFECTIVE DATE:12/21/2006
LEGAL DESCRIPTION RECEIVED: YES MAP RECEIVED: YES
IF A SCHOOL DIST. HAS O.A.R. 150-330.123 BEEN FILED?
REMARKS:

IF NON-SCHOOL DIST., LIST LB-50 VALUATION:0

TYPE OF ACTION: ANNEXATION
REMARKS:

D.O.R. APPROVED YES NO.:5-281-2006 DATE:01/12/2007

CODE AREAS AFFECTED OR CHANGED:

FROM:02-08
TO:02-01
FROM:
TO:

TOWNSHIPS:	AFFECTED AREA: RANGES:	SECTIONS:
4	1	05.400

None g

LIST UTILITY, WATERCRAFT, PERS. PROP. MH & BUSINESS ACCT #'S,
IF NONE, STATE NONE:

***** DATE COMPLETED:01/19/2007 *****

REMARKS:

COLUMBIA COUNTY ASSESSORS
RECORD OF DISTRICT BOUNDARIES

01/18/07

INIT DATE:12/21/2006

NO.:2007.19

HOW INITIALLY RECEIVED:LETTER FROM CITY OF ST HELENS
AFFECTED DISTRICT NAME:ST HELENS CITY
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FROM:02-08
TO:02-01
FROM:
TO:

	AFFECTED AREA:	
TOWNSHIPS:	RANGES:	SECTIONS:
4	1	05.400

LIST UTILITY, WATERCRAFT, PERS. PROP. MH & BUSINESS ACCT #'S,
IF NONE, STATE NONE:

***** DATE COMPLETED:01/19/2007 *****

REMARKS:

None

COLUMBIA COUNTY ASSESSORS
RECORD OF DISTRICT BOUNDARIES

01/18/07

INIT DATE:12/21/2006

NO.:2007.19

HOW INITIALLY RECEIVED:LETTER FROM CITY OF ST HELENS
AFFECTED DISTRICT NAME:ST HELENS CITY
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CODE AREAS AFFECTED OR CHANGED:

FROM:02-08
TO:02-01
FROM:
TO:

	AFFECTED AREA:	
TOWNSHIPS:	RANGES:	SECTIONS:
4	1	05.400

LIST UTILITY, WATERCRAFT, PERS. PROP. MH & BUSINESS ACCT #'S,
IF NONE, STATE NONE:

***** DATE COMPLETED:01/19/2007 *****

REMARKS:

None 1-18-07

Notice to Taxing Districts

ORS 308.225

RECEIVED ON

JAN 12 2007

COLUMBIA COUNTY ASSESSOR

DOR 5-281-2006



OREGON
DEPARTMENT
OF REVENUE

Cadastral Information Systems Unit
PO Box 14380
Salem, OR 97309-5075
(503) 945-8297, fax 945-8737

City of St. Helens
Finance Director
P.O. Box 278
St. Helens, OR 97051

Description and Map Approved
January 9, 2007
As Per ORS 308.225

☒ Description ☒ Map received from: CITY
On: 12/14/2006, 1/9/2007

This is to notify you that your boundary change in Columbia County for

ANNEX TO CITY OF ST. HELENS

ORD. #3009 DELASHMUTT

has been: ☒ Approved 1/9/2007
 ☐ Disapproved

Notes:

Department of Revenue File Number: 5-281-2006

Prepared by: Carolyn Sunderman, 503-945-8882

Boundary: ☒ Change ☐ Proposed Change
The change is for:

- ☐ Formation of a new district
- ☒ Annexation of a territory to a district
- ☐ Withdrawal of a territory from a district
- ☐ Dissolution of a district
- ☐ Transfer
- ☐ Merge
- ☐ Establishment of Tax Zone

Notice to Taxing Districts

ORS 308.225

DOR 5-281-2006



Cadastral Information Systems Unit
PO Box 14380
Salem, OR 97309-5075
(503) 945-8297, fax 945-8737

RECEIVED ON

DEC 21 2006

COLUMBIA COUNTY ASSESSOR

City of St. Helens
Finance Director
P.O. Box 278
St. Helens, OR 97051

☒ Description ☒ Map received from: CITY
On: 12/14/2006

This is to notify you that your boundary change in Columbia County for

ANNEX TO CITY OF ST. HELENS

ORD. #3009 DELASHMUTT

has been: ☐ Approved
☒ Disapproved 12/19/2006

Notes:

MAP IS NOT LEGIBLE. PLEASE SUBMIT A CLEAR COPY OF THE ASSESSOR'S MAP.

Department of Revenue File Number: 5-281-2006

Prepared by: Carolyn Sunderman, 503-945-8882

Boundary: ☒ Change ☐ Proposed Change
The change is for:

- ☐ Formation of a new district
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- ☐ Transfer
- ☐ Merge
- ☐ Establishment of Tax Zone

RECEIVED ON

DEC 14 2006

ORDINANCE NO. 3009

COLUMBIA COUNTY ASSESSOR

**AN ORDINANCE TO ANNEX AND DESIGNATE THE ZONE OF
CERTAIN PROPERTY AT THE WEST END OF SEAL ROAD**

WHEREAS, applicant TECA Development, LLC representing Georgie DeLashmutt has requested to annex to the City of St. Helens that certain property described in Exhibit A. This property is generally located at the west end of Seal Road, and is also described as Columbia County Tax Lot 410500000400; and

WHEREAS, the applicant has consented in writing to the proposed annexation; and

WHEREAS, the applicant constitutes (1) all the owners of the property to be annexed, and (2) more than half of the owners of the property to be annexed own more than half of such property representing more than half of the assessed value pursuant to ORS 222.170(1); and

WHEREAS, the City Council must recommend the property for annexation to the voters; and

WHEREAS, the City Council must determine the incorporated Comprehensive Plan Map designation and the zone map designation; and

WHEREAS, appropriate notice has been given and a public hearing was held July 19, 2006 on the annexation proposal; and

WHEREAS, the Council has considered findings of compliance with criteria and law applicable to the proposal.

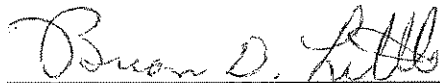
NOW, THEREFORE, THE CITY OF ST. HELENS DOES ORDAIN AS FOLLOWS:

1. The above recitations are true and correct and are incorporated herein by this reference.
2. The property described above is hereby accepted for annexation to the City of St. Helens.
3. The St. Helens Zoning Ordinance Map is hereby amended to reflect that the property described herein shall be zoned R-5, General Residential.
4. The St. Helens Comprehensive Plan Map is hereby amended to reflect that the property described herein shall be designated as GR, General Residential.

5. The land is classified as Developing in accordance with Chapter 1.150 of the St. Helens Community Development Code and OAR 660-08-0005.
6. In support of the above annexation and zoning, the Council hereby adopts the TECA Annexation and Zone Map Amendment Findings of Fact and Conclusions of Law dated September 6, 2006.
7. The City Council does hereby refer the final decision to annex this property to the voters of the City of St. Helens.
8. The effective date of this Ordinance shall be the date of the successful approval by the voters of the City of St. Helens, in accordance with the City Charter and other applicable laws.

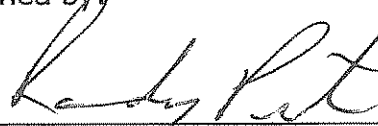
Read the first time:	August 16, 2006
Read the second time:	August 16, 2006
Read the third time:	September 6, 2006
Approved by the Mayor:	September 6, 2006

Attested by:



Brian D. Little, City Administrator

Signed by:



Randy Peterson, Mayor

FINDINGS OF FACT AND CONCLUSIONS OF LAW
TECA/DeLashmutter4.06

REQUEST:

TECA Development LLC and George DeLashmutter have petitioned the City that certain property be annexed into the City of St. Helens, Oregon.

PUBLIC HEARING:

A Public Hearing was held on July 11, 2006 in front of the Planning Commission and was held on July 19, 2006 in front of the City Council.

NOTICE OF PUBLIC HEARING:

A notice of this Public Hearing on this annexation request and zoning amendment was sent to property owners within 300 feet of the properties proposed for annexation on June 19, 2006 by first class mail. Notice was published in The Chronicle June 21, 2006. Notice was sent to Oregon Department of Land Conservation and Development May 22, 2006.

LOCATION:

The property is located at the west end of Seal Road. The site is also known as Columbia County Tax Assessor tax lot 400 on map 4105000.

SITE INFORMATION:

The site is about 4.28 acres in area and is vacant.

REFERRALS: Sent to the following:

1. St Helens Police, Public Works, Parks, Building Official, Waste Water Treatment Plant Superintendent and Public Works Manager.
2. Columbia County Land Development Services, Surveyor, Planning Commission, Board of Commissioners and Roadmaster.
3. St. Helens Rural Fire District
4. St. Helens School District #502
5. Columbia County 911, Emergency Communications District.
6. Columbia River PUD
7. Portland General Electric
8. Community Public Health Department
9. NW Natural Gas

The School District stated that due to financial and facility limitations it will have difficulty in meeting the needs of additional students. No other negative comments received.

CRITERIA:

The principle criteria for annexation are:

1. All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area; and
2. The applicable comprehensive plan policies and implementing ordinance provisions have been satisfied.
3. Complies with State laws.

The property will need to be zoned to conform to the City's adopted Comprehensive Plan and Zoning Map. The criteria for amending the Zoning Map are:

1. The applicable Comprehensive Plan policies and map designation; and that the change will not adversely affect the health, safety, and welfare of the community;
2. Statewide planning goals adopted under Oregon Revised Statutes Chapter 197, until acknowledgment of the Comprehensive Plan and ordinances;
3. The standards applicable of any provision of this Code or other applicable implementing ordinance; and
4. Evidence of change in the neighborhood or community or a mistake or inconsistency in the Comprehensive Plan or zoning map as it relates to the property which is the subject of the development application.

EVALUATION:

The principle criteria for annexation are:

1. All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area; and

Finding: Service agencies have been notified of this request. Their comments are listed above in the Referrals Section.

Finding: The current water system has excess capacity of about 100% or about twice the consumption rate as the sewer has excess capacity at the plant of over twice the use rate domestically.

Finding: Seal Road is a private street with some portions paved and some gravel in a 25 foot wide easement and about 10 feet wide where improved.

Finding: Ha Lane is a standard local street abutting the site on the west side.

Finding: There is a sewer line in Ha Lane abutting the site.

Finding: There is a water line in Ha Lane abutting the site.

Finding: The School District already includes this land in its district boundaries.

2. The applicable comprehensive plan policies and implementing ordinance provisions have been satisfied.

Finding: There do not appear to be any applicable comprehensive plan policies that directly relate to this request except for the zone map amendment.

Finding: The only implementing ordinance that applies is the Code and this process, including the below required criteria for a zone map amendment apply to this annexation.

3. Complies with State laws.

Finding: State law in ORS 222 requires the proposed property for annexation to be contiguous to a City Limit as defined by law.

Finding: This site is contiguous to the City Limits on 92% of the perimeter.

Finding: State law in ORS 222 requires that all property owners of the proposed property to be annexed and at least half of the electors residing on the property shall be required to consent in writing.

Finding: The site is vacant.

The criteria for amending the Zoning Map are:

1. The applicable Comprehensive Plan policies and map designation: and that the change will not adversely affect the health, safety, and welfare of the community;

Finding: These properties are located in Rural Suburban Unincorporated Residential (RSUR) designated area according to the Comprehensive Plan Map but this designation is in review for a change to UGR.

Finding: The policy of the Comprehensive Plan for RSUR designated lands is that the City of St. Helens should "Zone the RSUR lands as either R-7 or R-10". The policy for UGR is to zone it R-5.

Finding: The desired ratios are for R-10 to be 5% and R-7 to be 25% and currently

the R-10 lands are about 13.7% and R-7 are 23%.

Finding: The properties abutting the site are 58% R-5 and the other 42% is R-7.

2. Statewide planning goals adopted under Oregon Revised Statutes Chapter 197, until acknowledgment of the Comprehensive Plan and ordinances;

Finding: The St. Helens' Comprehensive Plan has been acknowledged by the State.

3. The standards applicable of any provision of this Code or other applicable implementing ordinance; and

Finding: The Community Development Code specifies a process as per Chapter 1.075, to wit this process is being carried out.

Finding: The Code requires that any changes to the Comprehensive Plan Map and/or Zone Map be in compliance with the current designation shown on the Comprehensive Plan Map and in the policies applicable thereof.

Finding: The Comprehensive Plan Map indicates that this site is located in a Rural Unincorporated Suburban Residential area.

Finding: The applicant has applied for a Comprehensive Plan Map amendment to change the designation from RSUR to UGR.

Finding: The Code requires that each property annexed into the City must be identified as Established or Developing.

Finding: The definition for an "established area" is an area where the land is not classified as buildable under Oregon Administrative Rule 660-08.0005 which states that buildable shall be land that is residentially designated vacant. Lands which are underdeveloped for the zone can be classified as buildable. This property has potential development of up to 12 lots.

4. Evidence of change in the neighborhood or community or a mistake or inconsistency in the Comprehensive Plan or zoning map as it relates to the property which is the subject of the development application.

Finding: This application is not for development.

Finding: This area of land is generally contiguous to the City on most sides.

The Planning Commission received testimony and evidence into the record and then decided based upon the criteria and the evidence to recommend that the site be annexed, be designated as GR, General Residential, be zoned as R-5 and be designated as Developing.

CONCLUSIONS:

1. All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area; and
2. The applicable comprehensive plan policies and implementing ordinance provisions have been satisfied.
3. Complies with State laws.
4. Complies with the applicable Comprehensive Plan policies and map designation: and the zone change will not adversely affect the health, safety, and welfare of the community;
5. The City's Comprehensive Plan and ordinances have been acknowledged by the State.
6. Meets the standards applicable of any provision of this Code or other applicable implementing ordinance.
7. The property is contiguous to the City Limits.

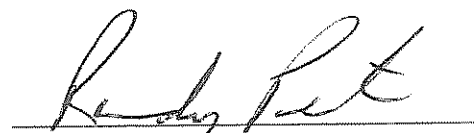
The Council held a public hearing and received the reports into the record. There was no testimony for or against this application. The Council considered the evidence in the record and the criteria that applies to the application and found in favor of the applicant. The Council approved the annexation application with changes to the maps to show that the property will be designated GR, General Residential, zoned R-5, General Residential, and classified as "developing" and will be sent to the voters at the next applicable election.

Attested to:

Signed by:



Brian D. Little, City Recorder



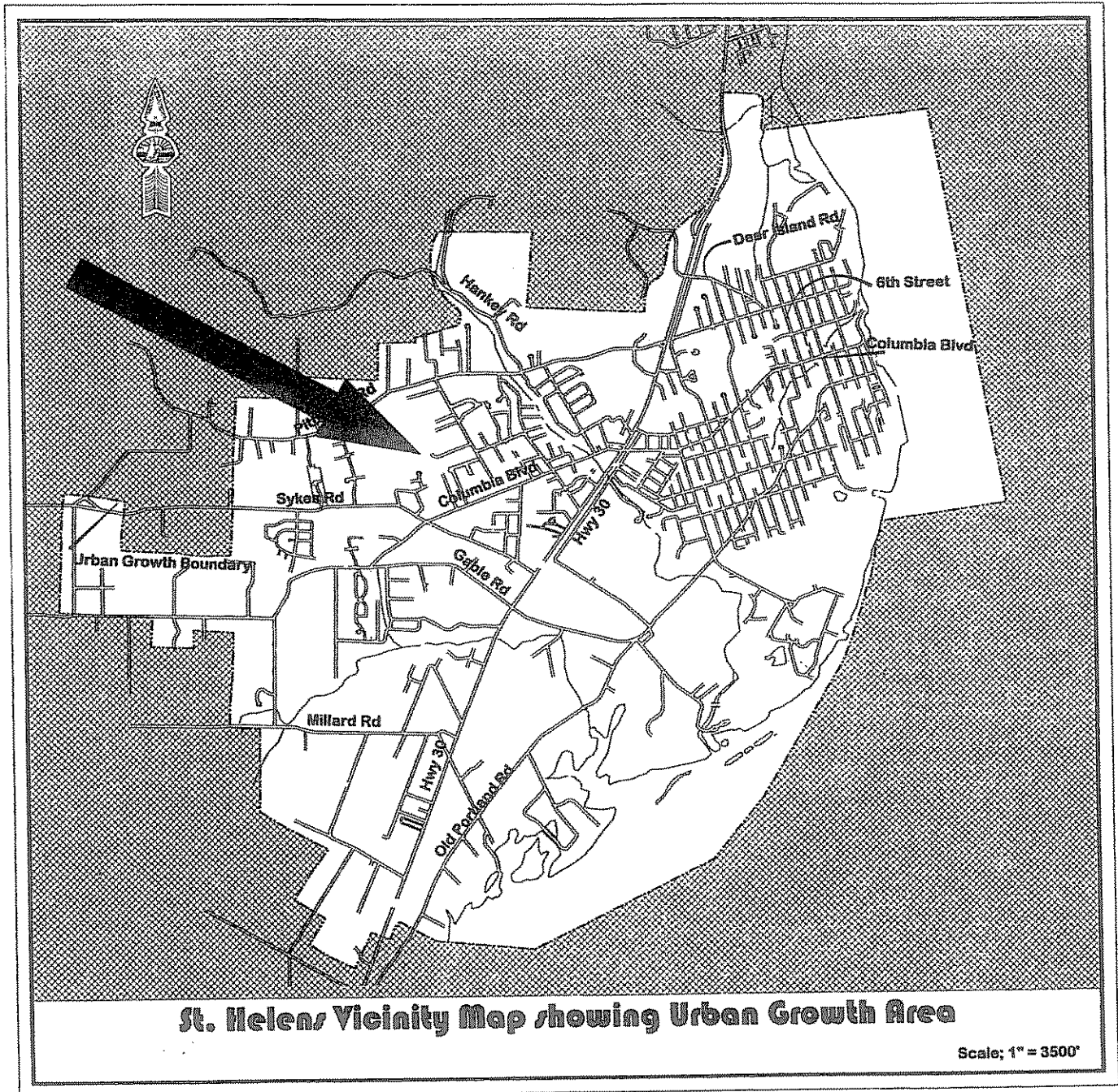
Randy Peterson, Mayor

9/6/06
Date

9/6/06
Date

Subject Property

~ Approximate Location ~

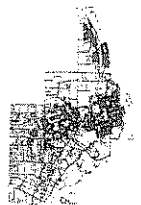




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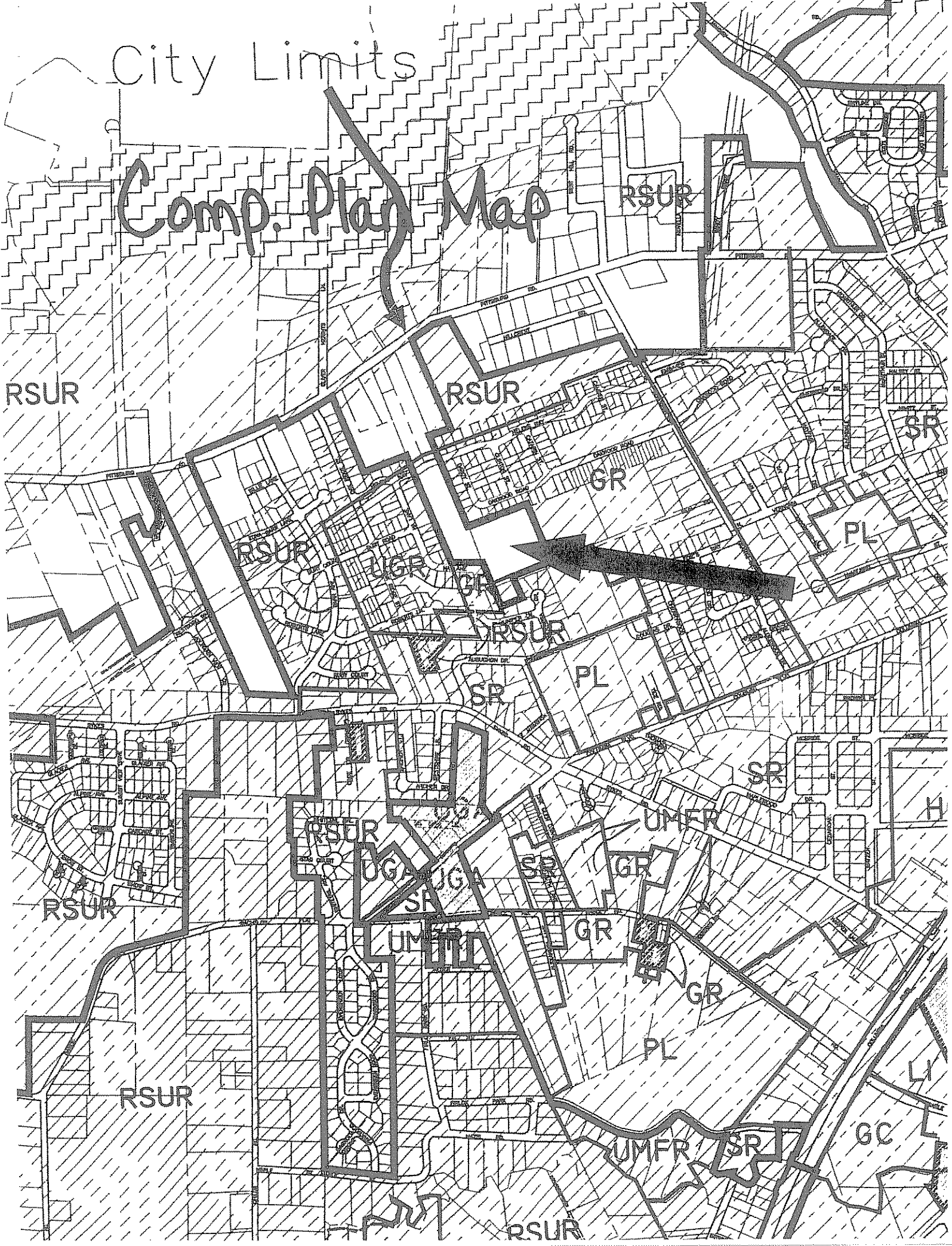


1 in. = 259.7 feet

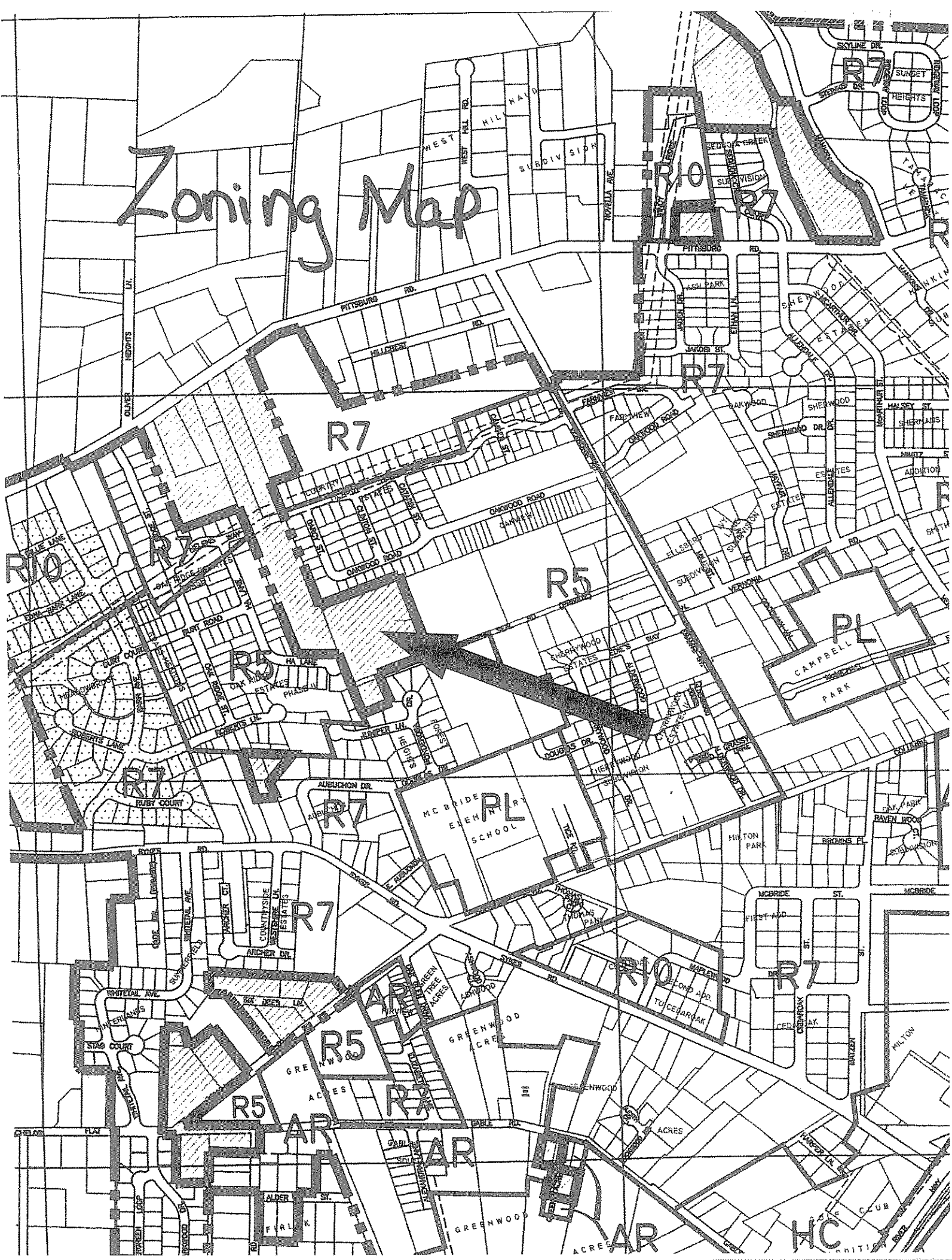


City Limits

Comp. Plan Map



Zoning Map



6

b

**TICOR TITLE**

This map is provided as a companion to the legal description and is provided solely to assist in locating the subject property. Ticor-Title assumes no liability for discrepancies.

SEE MAP**SEE MAP****SEE MAP 4161****41522****41521****SEE MAP****SEE MAP****41524****2-08****2-01**

N38°28'W
2443.2' FR.
SW COR.
BROYLES DLC

SEE MAP**41523**

600
4.60 AC

SEE MAP**41623****SEE MAP****41524**

400
4.28 AC

1300
0.91 AC, 13.9'

SEE MAP**41532****SEE MAP****41531****S****4**

LEGAL DESCRIPTION

Beginning on the West line of the Aaron Broyles Donation Land Claim 737, Section 5, Township 4 North of Range 1 West, Willamette Meridian, Columbia County, Oregon, North 22°38' West 1302.9 feet from the Southwest corner of said claim; North 68°20' East 433.5 feet; thence North 22°38' West 455.3 feet; thence South 66°30' West 433.5 feet; thence South 22°38' East 455.3 feet to point of beginning, Columbia County, Oregon, EXCEPTING THEREFROM a strip of land 24 feet in width for roadway along the South side as conveyed to Delmer B. Seal, et al., by deed recorded June 1, 1955 in Book 125, page 610, Deed Records of Columbia County, Oregon.

Annexation to the City of St. Helens, Oregon**PETITION**

To: The Common Council of the City of St. Helens, Oregon

We, the undersigned owner(s) of the property described below, hereby petition for and give our consent to annexation of that property to the City of St. Helens.

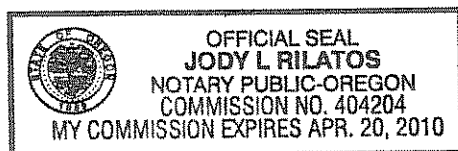
The property legal description to be annexed is attached as Exhibit A.

<u>SEAL RD.</u>	<u>4105-000-00400</u>
Street Address of Property (if assigned)	Tax Account Number of Property
1. <u>Georgie J. De Lashmuth</u>	<u>Georgie J. De Lashmuth</u>
Print Owner Name	Signature of Owner
2. _____	_____
Print Owner Name	Signature of Owner
3. _____	_____
Print Owner Name	Signature of Owner
4. _____	_____
Print Owner Name	Signature of Owner
Please send all correspondence to: Name: <u>Bill Eckhardt</u>	
Mailing Address: <u>10390 SW Kable St.</u>	
City, State, Zip: <u>Tigard OR 97224</u>	
Contact Telephone: <u>503 332-5912</u>	

We agree that this consent shall be irrevocable and is a covenant and runs with the land, and is binding on our heirs, assignees, or successors in interest. We agree that in lieu of paying the required fees and deposits at this time, that we will pay the required fees and deposits (current at the time of demand) upon written demand from the City of St. Helens and that failure to do so may result in the City placing a lien against the property. We agree that we will obligate all Electors to either consent to this annexation or to terminate their status as electors.

The foregoing instrument was acknowledged before me this 18 day of May, 2006 by Georgie J. De Lashmuth

[Signature]
Notary Public for Oregon
My commission expires 4-20-10



KNOW ALL MEN BY THESE PRESENTS, That we, Clara Seal (formerly Clara Frantz) and Robert L. Seal, her husband, of St. Helens, County of Columbia, State of Oregon, in consideration of ONE DOLLAR and other valuable considerations to us paid by Delmer Burkman Seal and Anna Seal, husband and wife, Cecil Seal and Marie Seal, husband and wife, Robert Lee Seal and Golda Seal, husband and wife, Fred Loranza Seal and Hazel Seal, husband and wife, and Roy Otis Seal and Myrna Seal, husband and wife, have bargained and sold, and by these presents do grant, bargain, sell and convey unto said Delmer Burkman Seal and Anna Seal, husband and wife, Cecil Seal and Marie Seal, husband and wife, Robert Lee Seal and Golda Seal, husband and wife, Fred Loranza Seal and Hazel Seal, husband and wife, and Roy Otis Seal and Myrna Seal, husband and wife, their heirs and assigns, all the following bounded and described real property, situated in the County of Columbia and State of Oregon, to-wit:

Commencing on a point on the right-of-way of the St. Helens-Pittsburg Highway and thence S. 68° 23' W. 1642 feet to a point that is N. 22° 38' W. 1302.9 feet from the Southwest corner of Broyles Donation Land Claim; thence N. 22° 38' W. 24 feet to a point; thence N. 68° 23' E. to the right-of-way of the St. Helens-Pittsburg Highway; thence S. 30° 27' E. to the place of beginning. Said described parcel of land being a roadway twenty-four feet in width for the use of the grantees, their heirs and assigns.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and also all our estate, right, title and interest, in and to the same, including dower and claim of dower.

TO HAVE AND TO HOLD, the above described and granted premises unto the said Delmer Burkman Seal and Anna Seal, husband and wife, Cecil Seal and Marie Seal, husband and wife, Robert Lee Seal, and Golda Seal, husband and wife, Fred Loranza Seal and Hazel Seal, husband and wife, and Roy Otis Seal and Myrna Seal, husband and wife, their heirs and assigns forever. Subject to any unpaid taxes, assessments or claims

of any nature which the grantees herein assume and agree to pay.

IN WITNESS WHEREOF, We the grantors above named hereunto set our hands and seals this 15th day of April, A. D. 1940.

Executed in the
presence of

Paul J. Mercer

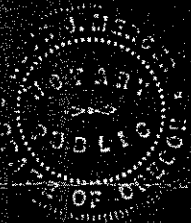
Clara Seal (SEAL)

Robert L. Seal (SEAL)

STATE OF OREGON)
) ss.
County of Columbia)

BE IT REMEMBERED, That on this 15th day of April, A. D. 1940, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Clara Seal (formerly Clara Frantz) and Robert L. Seal, her husband, who are known to me to be the identical individuals described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and Notarial seal the day and year last above written.



Paul J. Mercer
Notary Public for Oregon
My Commission Expires Jan. 8, 1941