

City of Phoenix
Heart of the Rogue Valley

Agenda Report to Mayor and Council

Agenda item title: AN23-02 – An ordinance of the City of Phoenix to annex 353 acres of property and right-of-way within the City’s urban growth boundary.

Meeting Date: September 18, 2023

From: Joe Slaughter, Community and Economic Development Director

Action: Motion, Ordinance, Resolution, Information only, Other

SUMMARY

Second reading of an ordinance annexing 353 acres within the City’s urban growth boundary pursuant to ORS 222.170, removing the area from Jackson County Fire District No.2 pursuant to ORS 222.524 and annexing the area to Jackson County Fire District No.5 pursuant to ORS 198.867(3).

BACKGROUND AND DISCUSSION

This is a City-initiated proposal to annex 353 acres within the City’s urban growth boundary pursuant to ORS 222.170, remove the area from Jackson County Fire District No.2 pursuant to ORS 222.524, and add the area to Jackson County Fire District No.5 boundaries pursuant to ORS 198.867(3). More than half of the owners of land in the territory, who also own more than half of the land in the contiguous territory and of real property therein representing more than half of the assessed value of all real property in the contiguous territory have consented in writing to the annexation of their land in the territory and have filed a statement of their consent consistent with ORS 222.170. The territory is located north of the exiting city boundary in two urban reserve areas recently added to the City’s UGB: PH-3 and PH-5. These areas are located generally adjacent to Hwy 99, Interstate-5 and North Phoenix Road.

The City Council conducted a public hearing on August 7, 2023 on the proposed annexation, affording all citizens an opportunity to be heard on the subject and review the proposal. Upon closing the public hearing, the City Council deliberated and voted unanimously to approve ordinance 1033 for first reading. The ordinance is now presented to Council for consideration on second and final reading now that the legal description, meeting the requirements of the Oregon Department of Revenue, has been prepared for the final version of the ordinance. The ordinance has also been amended to make all portions of the proposed annexation effective January 1, 2024. No other changes have been made since first reading of the ordinance.

COUNCIL GOALS SUPPORTED

Goal 8: Promote and encourage developers. Maintain responsive and effective planning and building services.

Goal 9: Continue to advocate for PH-3 and PH-5 inclusion.

FISCAL IMPACT

Properties annexed will pay property taxes to the City of Phoenix following annexation.

RECOMMENDATION

Staff recommends Council approve ordinance 1033 for second/final reading.

PROPOSED MOTION

I move to approve for second reading, on reading by title only, Ordinance 1033, an ordinance annexing 353 acres within the City's urban growth boundary pursuant to ORS 222.170, removing the area from Jackson County Fire District No.2 pursuant to ORS 222.524 and annexing the area to Jackson County Fire District No.5 pursuant to ORS 198.867(3).

ATTACHMENTS

- Draft Ordinance 1033

ORDINANCE NO. 1033

AN ORDINANCE ANNEXING 353 ACRES WITHIN THE CITY’S URBAN GROWTH BOUNDARY PURSUANT TO ORS 222.170, REMOVING THE AREA FROM JACKSON COUNTY FIRE DISTRICT NO.2 PURSUANT TO ORS 222.524 AND ANNEXING THE AREA TO JACKSON COUNTY FIRE DISTRICT NO.5 PURSUANT TO ORS 198.867(3)

WHEREAS, more than half of the owners of land in the territory, who also own more than half of the land in the contiguous territory and of real property therein representing more than half of the assessed value of all real property in the contiguous territory have consented in writing to the annexation of their land in the territory and have filed a statement of their consent consistent with ORS 222.170; and

WHEREAS the properties will be assigned City zoning which is consistent with the City’s Comprehensive Plan Map and is generally equivalent to the County zoning it replaces, as depicted in the Comprehensive Plan Designation map and Zoning Designation map attached as Exhibit “A”; and

WHEREAS the following properties: 381W03 TL 1600, 381W04 TLs 500, 381W09A TLs 100, 103 & 105 and 381W10 TLs 101 & 103, being zoned for Exclusive Farm Use in the County, will be assigned the Holding Zone designation per PLDC Chapter 2.11; and

WHEREAS for those properties listed above, which are assigned the Holding Zone designation, annexation will be effective January 1, 2024 and will occur only if the City adopts an exclusive agriculture overlay that allows for the preservation of agricultural uses through zoning prior to that date. For all other properties listed in this ordinance, annexation will be effective January 1, 2024 and will occur regardless of whether the City adopts an exclusive agriculture overlay; and

WHEREAS, as part of this annexation, the City will also annex portions of railroad, highway, freeway and street rights-of-way as described in Exhibit “B” and depicted in Exhibit “C”; and

WHEREAS, the subject properties are specifically identified on Jackson County Assessor Maps as shown in the following table; and

Property	Owner	Area
381W04C1100	YOUNGLAND DEVELOPMENT LLC	3.91
381W09B4000	MIRMIR LLC	0.31
381W09B1400	DVM ENTERPRISES LLC	0.58
381W05D3300	HAWK JEFFREY E/LORA A	2.00
381W09AB800	SNOW KIMBERLY LENZ/PATRICIA K	0.16
381W09B1500	BATTY DAVID W	0.85
381W09B3900	THOMAS DAREN L TRUSTEE ET AL	0.57
381W09B3600	SOUTH PACIFIC HIGHWAY LLC	2.40
381W09B3700	SOUTH PACIFIC HIGHWAY LLC	2.63
381W09B5301	SOUTH PACIFIC HIGHWAY LLC	1.72
381W09BA2200	DURAN ESTEBAN GONZALEZ	0.18

381W09BA1800	DURAN ESTEBAN GONZALEZ	0.21
381W09BA1900	DURAN ESTEBAN GONZALEZ	0.26
381W09BA2000	DURAN ESTEBAN GONZALEZ	0.40
381W04500	ARROWHEAD RANCH HOLDING COMPA	42.89
381W031600	ARROWHEAD RANCH HOLDING COMPA	161.39
381W09A100	ARROWHEAD RANCH HOLDING COMPA	3.07
381W10100	ARROWHEAD RANCH HOLDING COMPA	42.55
381W10101	ARROWHEAD RANCH HOLDING COMPA	6.97
381W09A105	ARROWHEAD RANCH HOLDING COMPA	1.01
381W09A103	ARROWHEAD RANCH HOLDING COMPA	4.64
381W10103	ARROWHEAD RANCH HOLDING COMPA	2.60
381W05D2500	KEENE DAVID P ET AL	0.33
381W05D3000	DICOPA INC.	1.76
381W09A102	JACKSON COUNTY	0.28
381W04C1000	MIRMIR LLC	1.85
381W04C600	DVM ENTERPRISES LLC	0.86
381W04601	JACKSON COUNTY	4.07
381W09A809	JACKSON COUNTY	0.14
381W09A810	JACKSON COUNTY	3.11
381W09A1890	JACKSON COUNTY	0.35
381W09AB200	JACKSON COUNTY	4.09
381W09AB1700	JACKSON COUNTY	0.00
<Null>	Cheryl Lane ROW	0.72
<Null>	HWY 99 ROW	8.11
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<Null>	I-5 ROW	11.37
<Null>	North Phoenix ROW	15.97
<Null>	Oak Crest Way	1.55
<Null>	NORTHRIDGE TERR ROW	2.80
<Null>	Campbell Rd ROW	2.64
<Null>	Railroad ROW	10.03

WHEREAS, the Planning Commission of the City of Phoenix, after providing the required public notification, held a public hearing on July 24, 2023, for the purpose of reviewing the proposed requests and providing a recommendation to the City Council. The Planning Commission public hearing was held in accordance with the appropriate provisions of the City of Phoenix Land Development Code and State law, and, after due deliberation and consideration of the proposed changes, the Planning Commission voted to recommend that the City Council approve the annexation; and

WHEREAS, notice of the City Council public hearing was published and posted in the manner and for the time prescribed by law and the public hearing was duly held by and before the City Council as provided by law and by the terms of the published notice; and

WHEREAS, the City Council finds and determines that the facts and conclusions in the staff report issued for the Planning Commission’s July 24, 2023 hearing, and the Final Order of the Planning Commission dated August 2, 2023, on file in the city offices, are true and correct and are hereby adopted as findings of the City Council.

NOW, THEREFORE, THE CITY OF PHOENIX ORDAINS AS FOLLOWS:

Section 1. The City Council declares and proclaims that the territory described in Exhibit “B” and depicted in Exhibit “C” is annexed to the City of Phoenix, removed from the boundaries of Jackson County Fire District No.2 and added to the boundaries of Jackson County Fire District No.5.

Section 2. The zoning of the above-described properties shall be amended from Jackson County zoning designations to generally equivalent City of Phoenix designation consistent with the City’s Comprehensive Plan map as shown in Exhibit “A”.

Section 3. The following properties – 381W03 TL 1600, 381W04 TLs 500, 381W09A TLs 100, 103 & 105 and 381W10 TLs 101 & 103 are assigned the Holding Zone designation per PLDC Chapter 2.11. For these properties, annexation will be effective January 1, 2024 and occur only if the City adopts an exclusive agriculture overlay that allows for the preservation of agricultural uses through zoning prior to that date. For all other properties listed in this ordinance, annexation will be effective January 1, 2024 and will occur regardless of whether the City adopts an exclusive agriculture overlay; and

Section 4. The City Recorder is directed to

- A. File the following with the Secretary of State and Department of Revenue:
 - a. A copy of this ordinance;
 - b. A copy of applicable land owner statements of consent.
- B. Mail a copy of this Ordinance to Jackson County, to all service providers and to any other parties entitled to receive this notice of its adoption.

Section 5. This application complies with the City’s Comprehensive Plan and ORS Chapter 222.170 attached as Exhibit “D” and incorporated herein by reference.

PASSED AND ADOPTED by the City Council and signed by me in open session in authentication thereof this 18th day of September, 2023.

Terry Baker, Mayor

ATTEST:

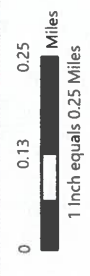
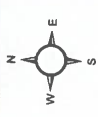
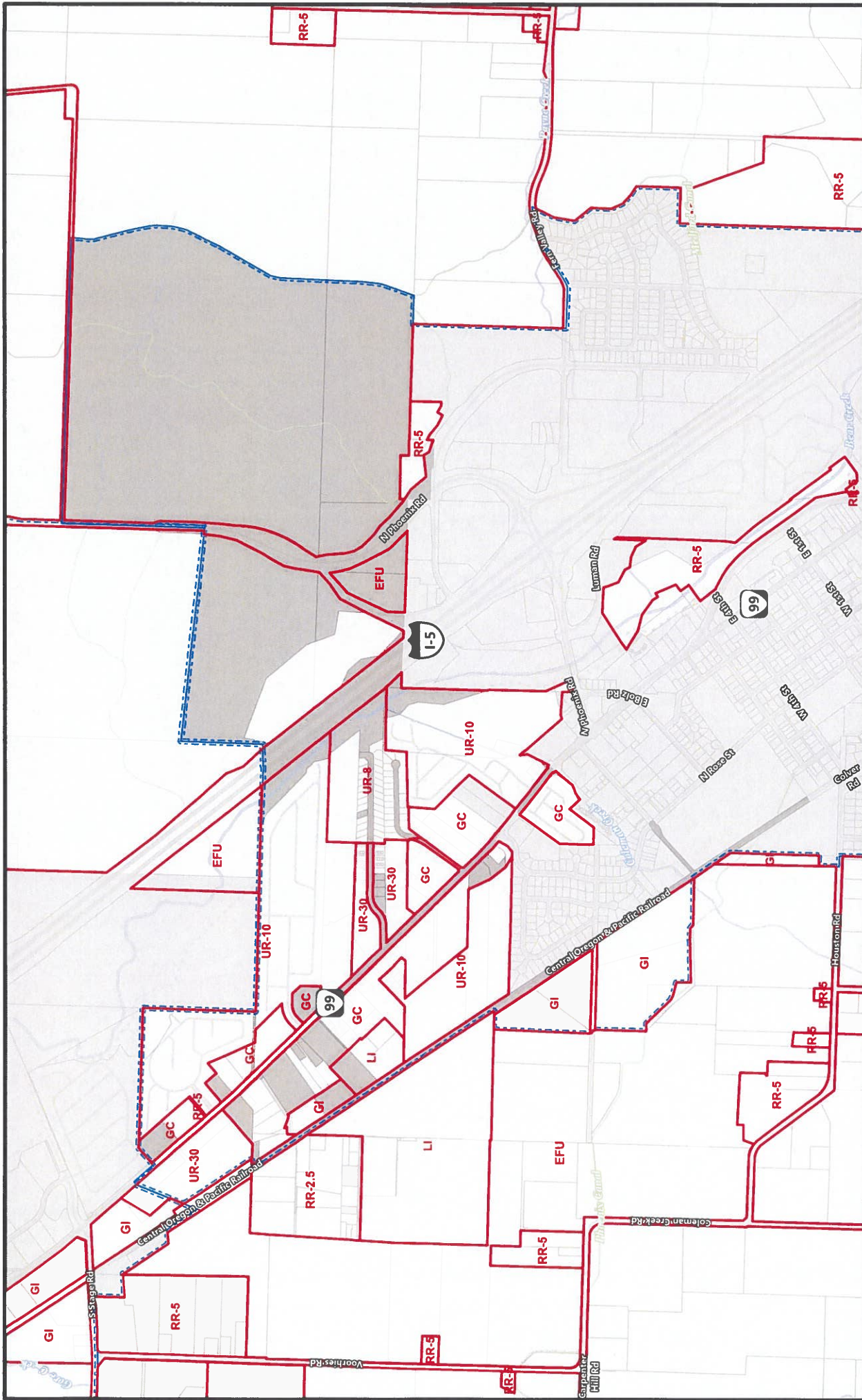
Approved as to form:

Bonnie Pickett, City Recorder

Douglas McGeary, City Attorney

Exhibit "A"

See attached zoning and land use maps, 3 pages total.

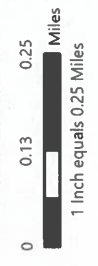
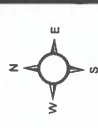
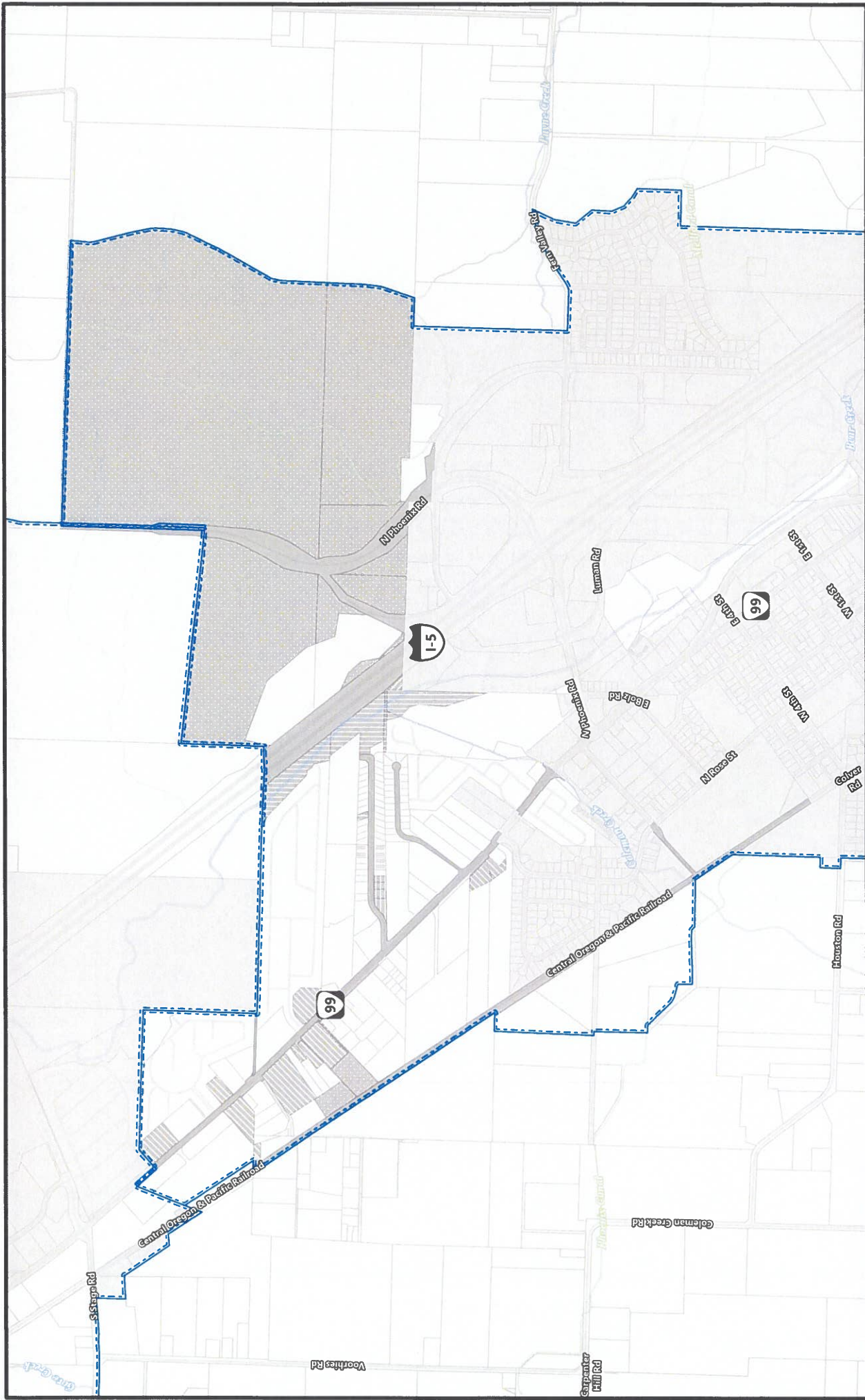


The datasets shown on this map are for planning purposes only. The City of Phoenix is not responsible for errors or omissions. Every effort has been made to insure the accuracy of this map. However, there may be inaccuracies due to human or mechanical error or changes in the Land Use District map created by recent land use actions or legislative changes. To verify the zoning designation of a parcel or to report errors, please contact the Planning Department at (602) 535-2050. This product is provided as is, without warranty, in no event is the City of Phoenix liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

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Community & Economic Development Department Annexation (File AN23-02), County Zoning Designations





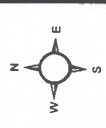
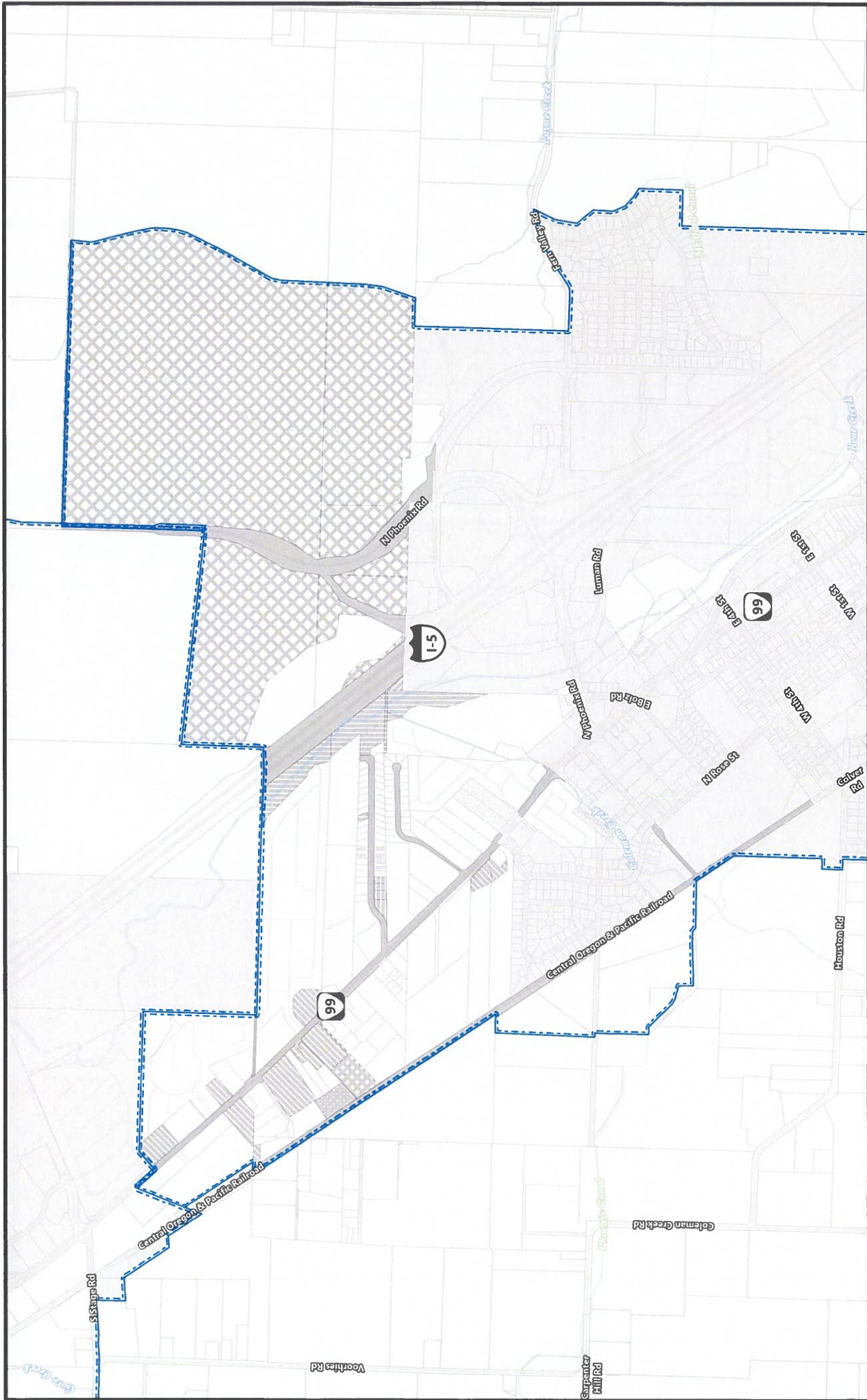
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Community & Economic Development Department Annexation (File AN23-02), City Comprehensive Plan Designations



-  Industrial
-  Medium Density Residential
-  High Density Residential
-  Bear Creek Greenway
-  Commercial
-  Urban Growth Boundary
-  City Limit
-  Right-of-way



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Community & Economic Development Department Annexation (File AN23-02), City Land Use Districts

- Urban Growth Boundary
- City Limit
- Bear Creek Greenway
- Commercial Highway
- Medium Density Residential
- High Density Residential
- Holding Zone
- General Industrial
- Light Industrial
- Right-of-way

Exhibit "B"

See attached legal description and exhibit map, 5 pages total.

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LEGAL DESCRIPTION

Beginning at the Northwest corner of BARNUM SUBDIVISION, according to the official plat thereof, now of record, in Volume 14, Page 17 of plats of Jackson County, Oregon said point being on the existing City of Phoenix Boundary; thence Southeasterly along the Southwesterly line of said SUBDIVISION and along said City Boundary, 2189 feet, more or less, to the most Southerly corner of Lot 1, Block 5 of said SUBDIVISION; thence Northeasterly along the Southeasterly line of said Lot 1, the Southeasterly line of said SUBDIVISION and along said City Boundary, 690 feet, more or less, to the North line of Rose Street; thence Southeasterly along said North line and said City Boundary, 60 feet, more or less, to the Southeasterly line of Cheryl Lane; thence Southwesterly along said Southeasterly line, the Southeasterly line of that tract set forth in Document No. 89-13262, Official Records of Jackson County, Oregon, the Southeasterly line of said SUBDIVISION and along said City Boundary, 679 feet more or less, to the most Southerly corner of said SUBDIVISION; thence Southeasterly along the Northeasterly line of the Central Oregon & Pacific Railroad and along said City Boundary, 1347 feet, more or less, to the most Southerly corner of Parcel 2 set forth in Document No. 2021-033169, said Official Records; thence Southwesterly along said City Boundary. 60 feet, more or less, to the Southwesterly line of said Railroad; thence Northwesterly along said Southwesterly line and along said City Boundary, 933 feet, more or less, to the most Northerly corner of that tract set forth in Document No. 2018-011376, said Official Records; thence leaving said City Boundary along the Southwesterly line of said Railroad, Northwesterly, 5759 feet, more or less, to the South line of Donation Land Claim No. 40, Township 38 South, Range 1 West, Willamette Meridian, Jackson County, Oregon; thence Easterly along said South line, 309 feet, more or less, to the Northeast corner of that tract set forth in Document No. 2018-024592, said Official Records; thence Southeasterly, 73 feet, more or less, to the Southeast corner thereof; thence Westerly, 206 feet, more or less, to the Southwest corner thereof; thence Southeasterly along the Northwesterly line of said Railroad, 885 feet, more or less, to the most Westerly corner of that tract set forth in Document No. 2019-035578, said Official Records; thence Northeasterly, 215 feet, more or less, to the most Northerly corner thereof; thence Southeasterly, 329 feet, more or less, to the most Easterly corner thereof; thence Northeasterly, 253 feet, more or less, to the most Southerly corner of that tract set forth in Document No. 2015-008179, said Official Records; thence Northwesterly, 97 feet, more or less, to the most Westerly corner thereof; thence Northeasterly, 325 feet, more or less, to the Southwesterly line of Oregon State Highway No. 99; thence Northwesterly along said Southwesterly line, 14 feet, more or less, to the Southeasterly line of that tract set forth in Document No. 2017-034019, said Official Records; thence Southwesterly along said Southeasterly line, 1748 feet, to the most Southerly corner of said tract; thence Northwesterly, 73 feet, more or less, to the most Westerly corner thereof; thence Northeasterly, 181 feet, more or less, to the Southwesterly line of Oregon State Highway No. 99; thence Northwesterly along said Southwesterly line, 73 feet, more or less, to the most Easterly corner of that tract set forth in Document No. 2017-034019, said Official Records; thence Southwesterly, 542 feet, more or less, to the most Southerly corner thereof; thence Northwesterly, 336 feet, more or less, to the most Westerly corner thereof; thence Northeasterly, 440 feet, more or less, to the Southwesterly line of Oregon State Highway No. 99; thence Northwesterly along said Southwesterly line, 308 feet, more or less, to the Southeasterly line of that tract set forth in Document No. 02-67271, said Official Records; thence Southwesterly, along said Southeasterly line, 205 feet, more or less, to the North line of said Claim No. 40; thence Westerly along said North line, 329 feet, more or less, to the most Westerly corner of that tract set forth in Document No. 02-67271, said Official Records; thence

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Northeasterly, 458 feet, more or less, to the Southwesterly line of Oregon State Highway No. 99; thence Northwesterly along said Southwesterly line, 879 feet, more or less, to a point at right angles to the most Westerly corner of that tract set forth in Document No. 2018-036805, said Official Records; thence Northeasterly, 70 feet, more or less, to said most Westerly corner; thence Northeasterly, 200 feet, more or less, to an angle point in said tract boundary; thence Easterly, 66 feet, more or less, to an angle point in said tract boundary; thence Southeasterly, 307 feet, more or less, to the most Easterly corner thereof; thence Southwesterly, 250 feet, more or less, to the Northeasterly line of Oregon State Highway No. 99; thence Southeasterly along said Northeasterly line, 564 feet, more or less, to the most Westerly corner of that tract set forth in Document No. 2012-009168, said Official Records; thence Northeasterly, 250 feet, more or less, to the most Northerly corner thereof; thence Southeasterly, 150 feet, more or less, to the most Easterly corner thereof; Southwesterly, 250 feet, more or less, to the Northeasterly line of Oregon State Highway No. 99; thence Southeasterly along said Northeasterly line, 1033 feet, more or less, to the most Westerly corner of that tract set forth in Document No. 92-25143, said Official Records; thence Northeasterly on the exterior boundary thereof, 245 feet, more or less, to the most Northerly corner thereof; thence Southeasterly, 113 feet, more or less, to an angle point in said tract boundary; thence Southerly, 201 feet, more or less, to the Southeast corner of said tract; thence Westerly along the South line thereof, 115 feet, more or less, to the Northeasterly line of Oregon State Highway No. 99; thence Southeasterly along said Northeasterly line, 837 feet, more or less, to the Northerly line of Northridge Terrace; thence Northeasterly along said Northerly line, 1354 feet, more or less, to the Southwest corner of Lot 5, Block 1, LAKESIDE ESTATES MOBILE HOME SUBDIVISION, according to the official plat thereof, IN Volume 15, Page 82 of plats of Jackson County, Oregon; thence Northwesterly, 114 feet, more or less, to the Northwest corner thereof; thence Easterly, 65 feet, more or less, to the Northeast corner thereof; thence Southeasterly, 112 feet, more or less, to the Northerly line of Northridge Terrace; thence Easterly along said Northerly line, 514 feet, more or less, to the Southeast corner of Lot 13, Block 1, said LAKESIDE ESTATES; thence Northerly, 63 feet, more or less, to the Northeast corner thereof; thence Easterly along South line of that tract set forth in Document No. 2022-022536, said Official Records, 279 feet, more or less, to the Southeast corner of said tract; thence Northwesterly, 382 feet, more or less, to the Northeast corner thereof; thence Westerly along the North line thereof, 40 feet, more or less, to the Southeast corner of that tract set forth in Document No. 2007-036499, said Official Records; thence Northwesterly along the Easterly line thereof, 993 feet, more or less, to the South line of said Claim No. 40; thence East along said North line, 807 feet, more or less, to the Southeast corner of said Claim No. 40; thence North along the East line of said Claim No. 40, 828.4 feet, more or less, to the Northwest corner of Parcel 1 per Document No. 2019-002621, said Official Records; thence Southeasterly along the Northerly line thereof, 2078 feet, more or less, to the Westerly line of North Phoenix Road; thence Northerly along said Westerly line, 1439 feet, more or less, to a point on the Westerly prolongation of the North line of Campbell Road; thence East, along said prolongation, 30 feet, more or less, to the Southwest corner of Donation Land Claim No. 84, Township 38 South, Range 1 West, Willamette Meridian, Jackson County, Oregon; thence East, along the South line of said Claim and the North line of Campbell Road, 2799 feet, more or less, to a point at right angle to the Northeast corner of that tract set forth in Document No. 2023-xxxxxx, said Official Records; thence South, 40 feet, more or less, to said Northeast corner; thence Southerly along the Easterly line thereof, 3543 feet, more or less, to

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the North line of Donation Land Claim No. 42, said Township and Range; thence West along said North line, 1583 feet, more or less, to the interior ell corner of that tract set forth in Document No. 2016-038738, said Official Records; thence North, 80 feet, more or less, to the North Northeast corner thereof; thence West, 420 feet, more or less, to the Northwest corner thereof; thence South along the West line thereof, 60 feet, more or less, to the Northeasterly line of that right of way set forth in Document No. 2014-18439, said Official Records; thence Southeasterly along said Northeasterly right of way, 664 feet, more or less, to the Northeast corner of said right of way; thence South along the East line of said right of way, 28 feet, more or less, to the existing City boundary; thence West along said City Boundary, 267 feet, more or less, to an angle point in said City Boundary; thence North, 20 feet, more or less, to an angle point in said City Boundary; thence West, 306 feet, more or less, to an angle point in said City Boundary; thence North, 236 feet, more or less, to the North line of said Claim No. 42; thence West along said North line and along said City Boundary, 1880 feet, more or less, to the Northwest corner of said Claim No. 42; thence South along the West line of said Claim No. 42 and along said City Boundary, 859 feet, more or less, to the most Southerly corner of that tract set forth in Document No. 90-10759, said Official Records; thence leaving said City Boundary along the Westerly line of said tract, Northwesterly, 1084 feet, more or less, to the North line of Donation Land Claim No. 44, said Township and Range; thence Westerly along said North line, 319 feet, more or less, to the East line of OAK CREST ESTATES, according to the official plat thereof, now of record, in Volume 30, Page 9 of plats of Jackson County, Oregon; thence Northerly along said Easterly line, 32 feet, more or less, to the Southwest corner of Lot 14, Block 2 of said LAKESIDE ESTATES; thence Easterly, 112 feet, more or less, to the Southeast corner thereof; thence Northwesterly, 151 feet, more or less, to the Northeast corner thereof; thence Westerly, 66 feet, more or less, to the Northwest corner thereof; thence Westerly along the Southerly line of Northridge Terrace, 1236 feet, more or less, to the Northeast corner of Lot 4, Block 2, NORTHWOOD PARK SUBDIVISION, according to the official plat thereof, now of record, in Volume 13, Page 26 of plats of Jackson County, Oregon; thence Southerly, 120 feet, more or less, to the Southeast corner thereof; thence Westerly along the Southerly line of said NORTHWOOD PARK, 651 feet, more or less, to the Northeasterly line of Oregon State Highway No. 99; thence Southeasterly along said Northeasterly line, 1009 feet, more or less, to the Northwesterly line of Oak Crest Way; thence Northeasterly along the Northwesterly and Northerly line thereof, 1466 feet, more or less, to the corner common to Lots 14 & 15 of said OAK CREST ESTATES; thence Southwesterly along the Southerly and Southeasterly line of Oak Crest Way, 1417 feet, more or less, to the Northeasterly line of Oregon State Highway No. 99; thence Southeasterly along said Northeasterly line, 569 feet, more or less, to the most Southerly corner of that tract set forth in Document No. 2006-020546, said Official Records said point also being on the existing City Boundary; thence leaving said City Boundary along the Northeasterly line of said Highway No. 99, Southeasterly, 288, more or less, to the Southwesterly corner of that tract set forth in Document No. 2021-051904, said Official Records; thence Southeasterly along the Northeasterly line of said Highway No. 99, 586 feet, more or less, to the centerline of Coleman Creek also being on the existing City Boundary; thence Southwesterly along said centerline and along said City Boundary, 269 feet, more or less, to the Southwesterly line of Oregon State Highway No. 99; thence leaving said City Boundary along said Southwesterly line, Northeasterly, 634 feet, more or less, to the most Northerly corner of that tract set forth in Document No. 2021-016995, said Official Records said point also being on the existing City Boundary;

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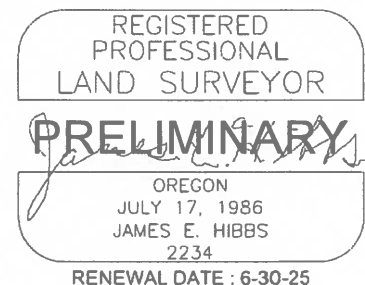
ljfriarandassociates@charter.net

LEGAL DESCRIPTION

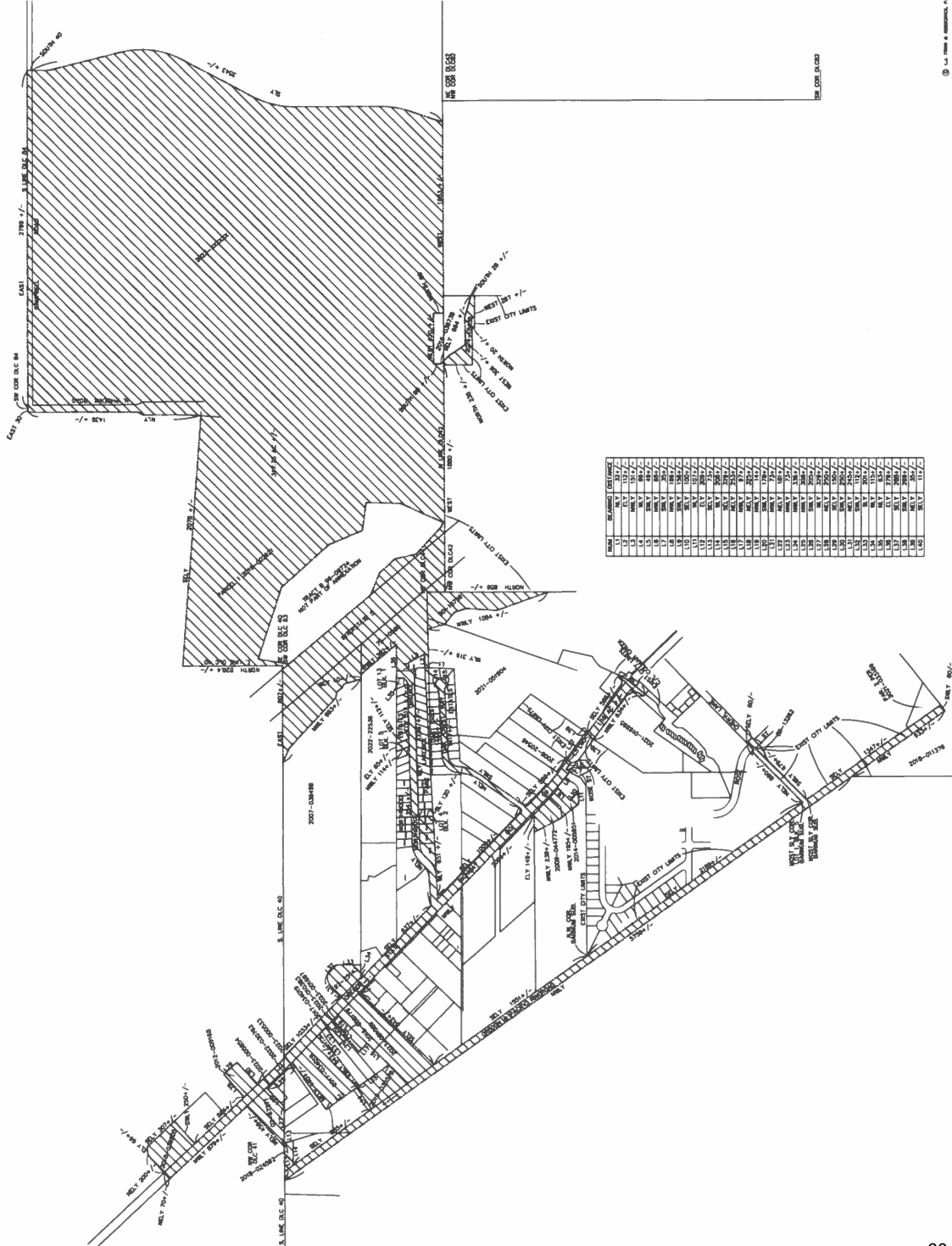
thence Northeasterly along said City Boundary, 35 feet, more or less, to the centerline of said Highway No. 99; thence Southeasterly along said centerline and along said City Boundary, 11 feet, more or less, to an angle point in said City Boundary; thence leaving said centerline along said City Boundary, Northeasterly, 35 feet, more or less, to the Southwesterly corner of that tract set forth in Document No. 2021-051904, said Official Records; thence leaving said City Boundary along the Northeasterly line of said Highway No. 99, Northwesterly 288 feet, more or less, to the most Southerly corner of that tract set forth in Document No. 2006-020546, said Official Records said point being on the existing City Boundary; thence Southeasterly along said City Boundary, 49 feet, more or less, to the centerline of said Highway No. 99; thence Northwesterly along said centerline and said City Boundary, 68 feet, more or less, to an angle point in said City Boundary; thence leaving said centerline along said City Boundary, Southwesterly, 35 feet, more or less, to the most Northerly corner of Rose Street; thence leaving said City boundary, along the Southwesterly line of Oregon State Highway No. 99, 166 feet to the most Easterly corner of that tract set forth in Document No. 2014-005951, said Official Records; thence Southwesterly, 156 feet, more or less, to the interior ell corner thereof; thence Southeasterly, 100 feet, more or less, to the Southeast corner thereof; thence Westerly, 107 feet, more or less, to the Southwest corner thereof; thence Northwesterly along the Westerly line thereof and the Westerly line of that tract set forth in Document No. 2009-044772, said Official Records, 195 feet, more or less, to an angle point in the Westerly line of that tract set forth in Document No. 2009-044772, said Official Records; thence Northwesterly, 239 feet, more or less, to the Northwest corner thereof; thence Easterly, 149 feet, more or less, to the Southwesterly line of Oregon State Highway No. 99; thence Northwesterly along said Southwesterly line, 2066 feet, more or less, to the Southeasterly line of that tract set forth in Document No. 2023-001589, said Official Records; thence Southwesterly along said Southeasterly line, 842 feet, more or less, to the Northeasterly line of the Central Oregon & Pacific Railroad; thence Southeasterly along said Northeasterly line, 1551 feet, more or less, to the point of beginning. EXCEPTING THEREFROM Tract B set forth in Document No. 96-09724, said Official Records.

Containing 348.91 acres, more or less.

AREA TO BE ANNEXED INTO
THE CITY OF PHOENIX
23-148
September 4, 2023



MAP OF PROPOSED ANNEXATION
CITY OF PHOENIX FILLS ANS-02
 City of Phoenix - Jackson County, Oregon



PROPOSED AREA TO BE ANNEXED
 JACKSON COUNTY, OREGON
 PHOENIX FILLS ANS-02
 PRELIMINARY
 L.L. FERRER & ASSOCIATES P.C.
 1000 N. 10TH AVENUE, SUITE 200
 PHOENIX, OREGON 97530
 PHONE: 503.253.7272
 FAX: 503.253.7273
 WWW.FERRER-ASSOCIATES.COM

Exhibit "C"

See attached Assessor maps showing area of annexation, 10 pages total.

SECTION 3 T.38S. R.1W. W.M.
JACKSON COUNTY

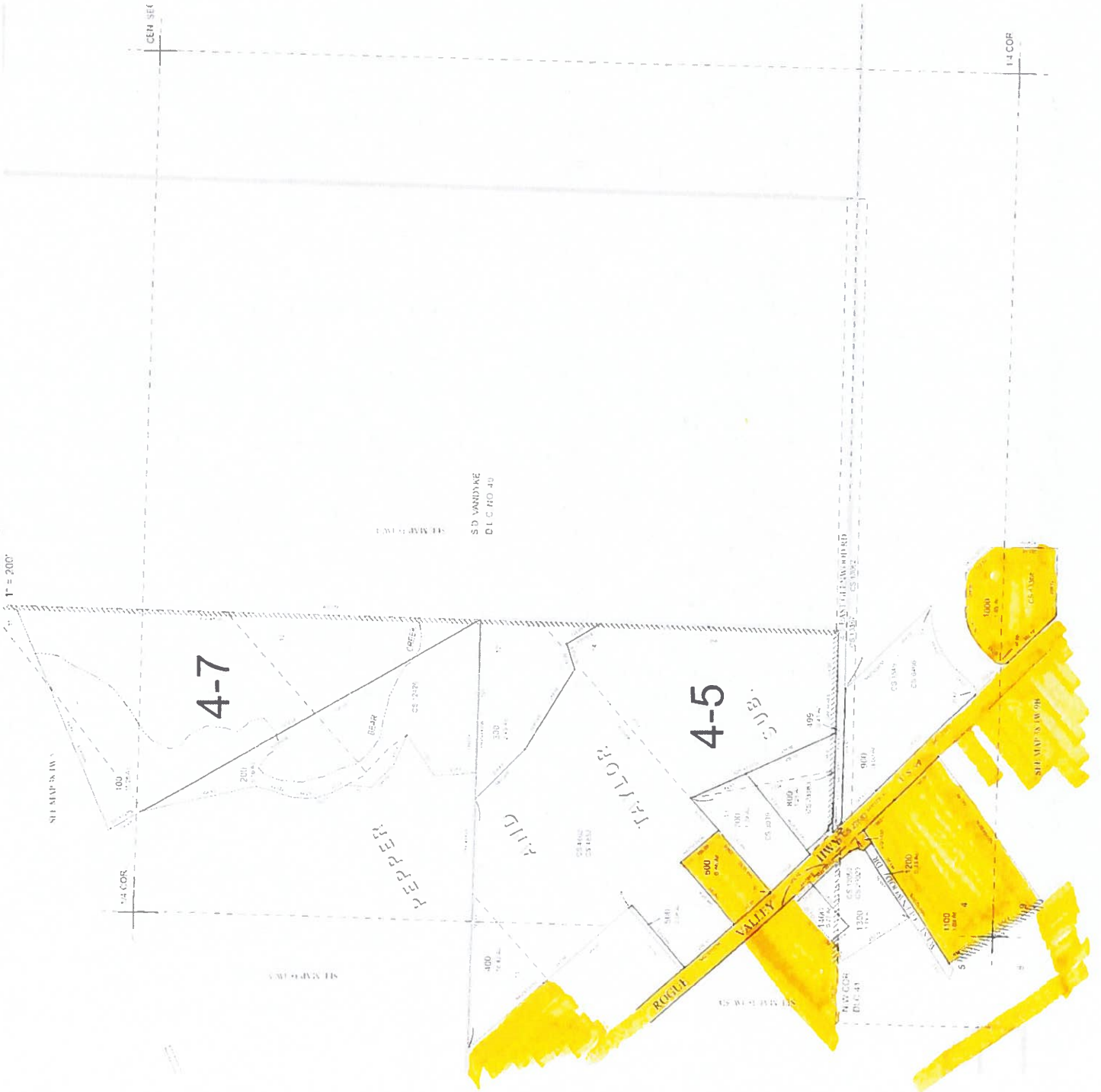
1" = 400'



CONSOLIDATION SHEET
 101 MAP 381W.3 (199)
 102 MAP 381W.3 (199)
 103 MAP 381W.3 (199)
 104 MAP 381W.3 (199)
 105 MAP 381W.3 (199)
 106 MAP 381W.3 (199)
 107 MAP 381W.3 (199)
 108 MAP 381W.3 (199)
 109 MAP 381W.3 (199)
 110 MAP 381W.3 (199)
 111 MAP 381W.3 (199)
 112 MAP 381W.3 (199)
 113 MAP 381W.3 (199)
 114 MAP 381W.3 (199)
 115 MAP 381W.3 (199)
 116 MAP 381W.3 (199)
 117 MAP 381W.3 (199)
 118 MAP 381W.3 (199)
 119 MAP 381W.3 (199)
 120 MAP 381W.3 (199)

S.W. 1/4 SEC 4 T. 38S. R. 1W. W.M.
JACKSON COUNTY

381W4C
MEDFORD



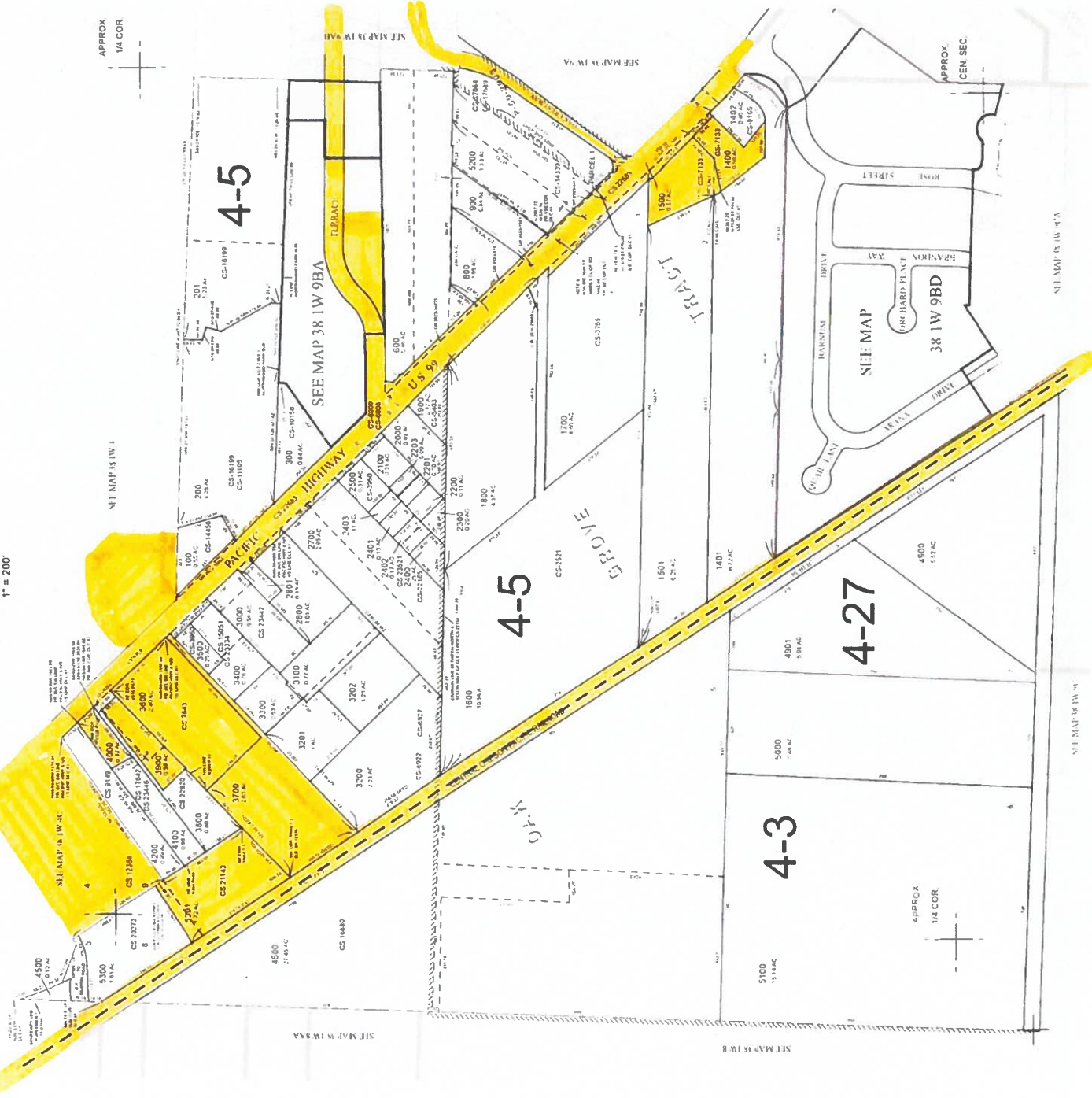
381W4C
MEDFORD

DEP. GEO. February 29, 2001
REV. May 11, 2002

N. W. 1/4 SEC. 9 T. 38S. R. 1W. W.M.
JACKSON COUNTY

38 1W 9B
& INDEX
PHOENIX

CASPER LUTHELIAN FOR SURVEYORS
1000 N. 10TH ST. SUITE 100
PHOENIX, AZ 85016
480.438.1100
480.438.1101
480.438.1102
480.438.1103
480.438.1104
480.438.1105
480.438.1106
480.438.1107
480.438.1108
480.438.1109
480.438.1110



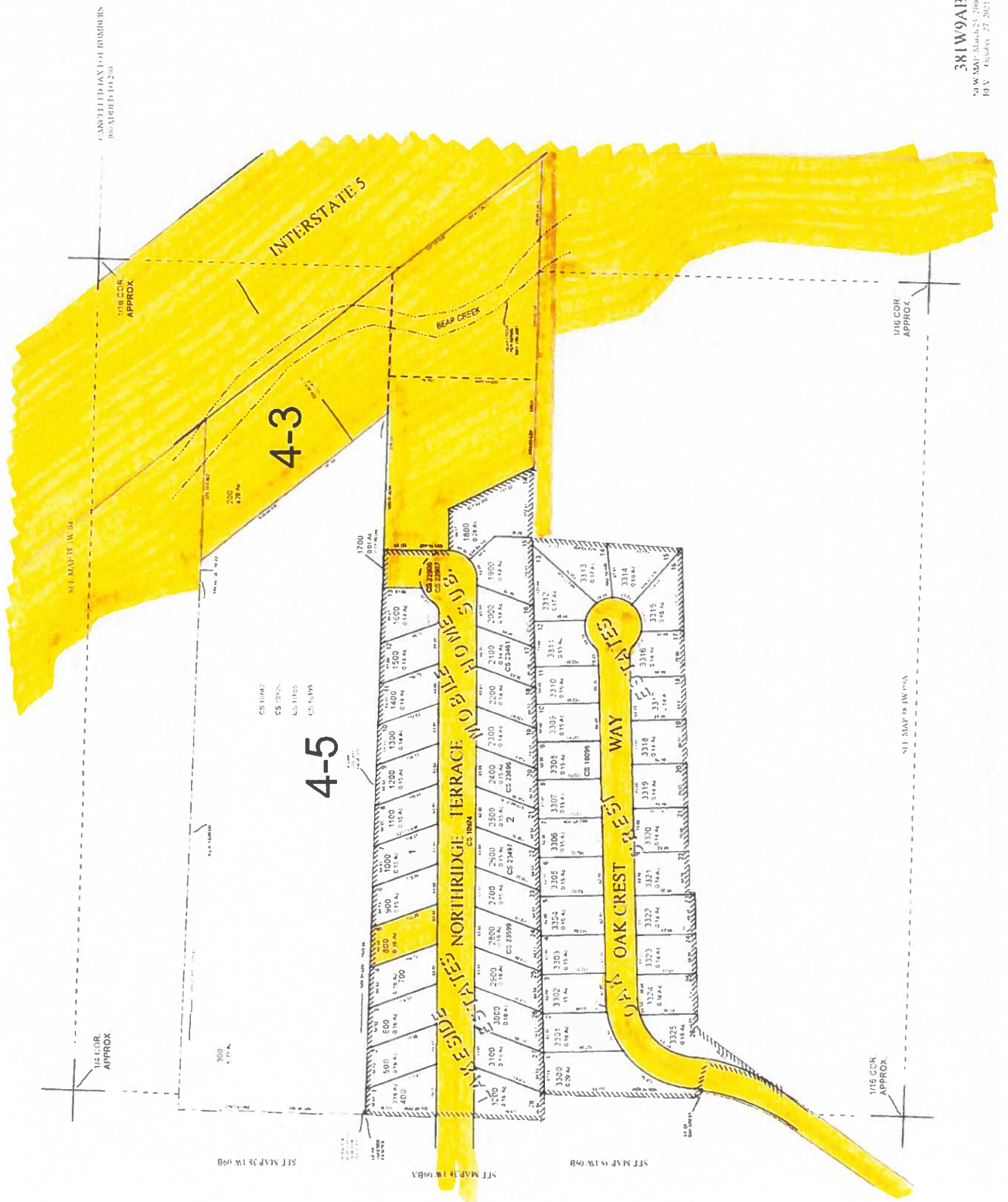
38 1W 9B
& INDEX
PHOENIX

1306 CONVEY INSTR# October 22, 1999
REV 14
2023

FOR ASSESSMENT AND TAXATION ONLY

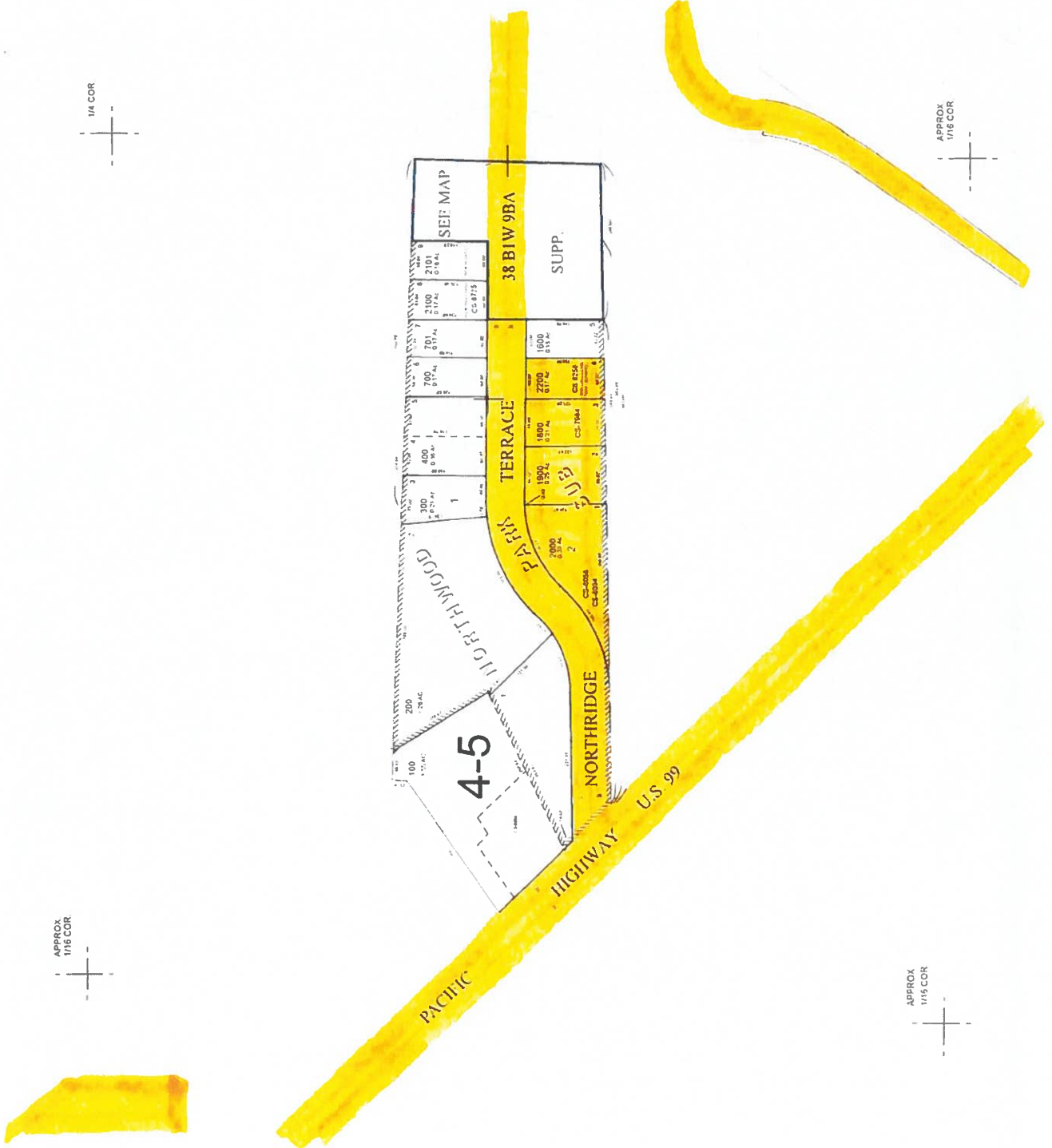
N.W. 1/4 N.E. 1/4 SEC. 9 T. 38S. R. 1W. W.M.
JACKSON COUNTY
1" = 100'

381W9AB



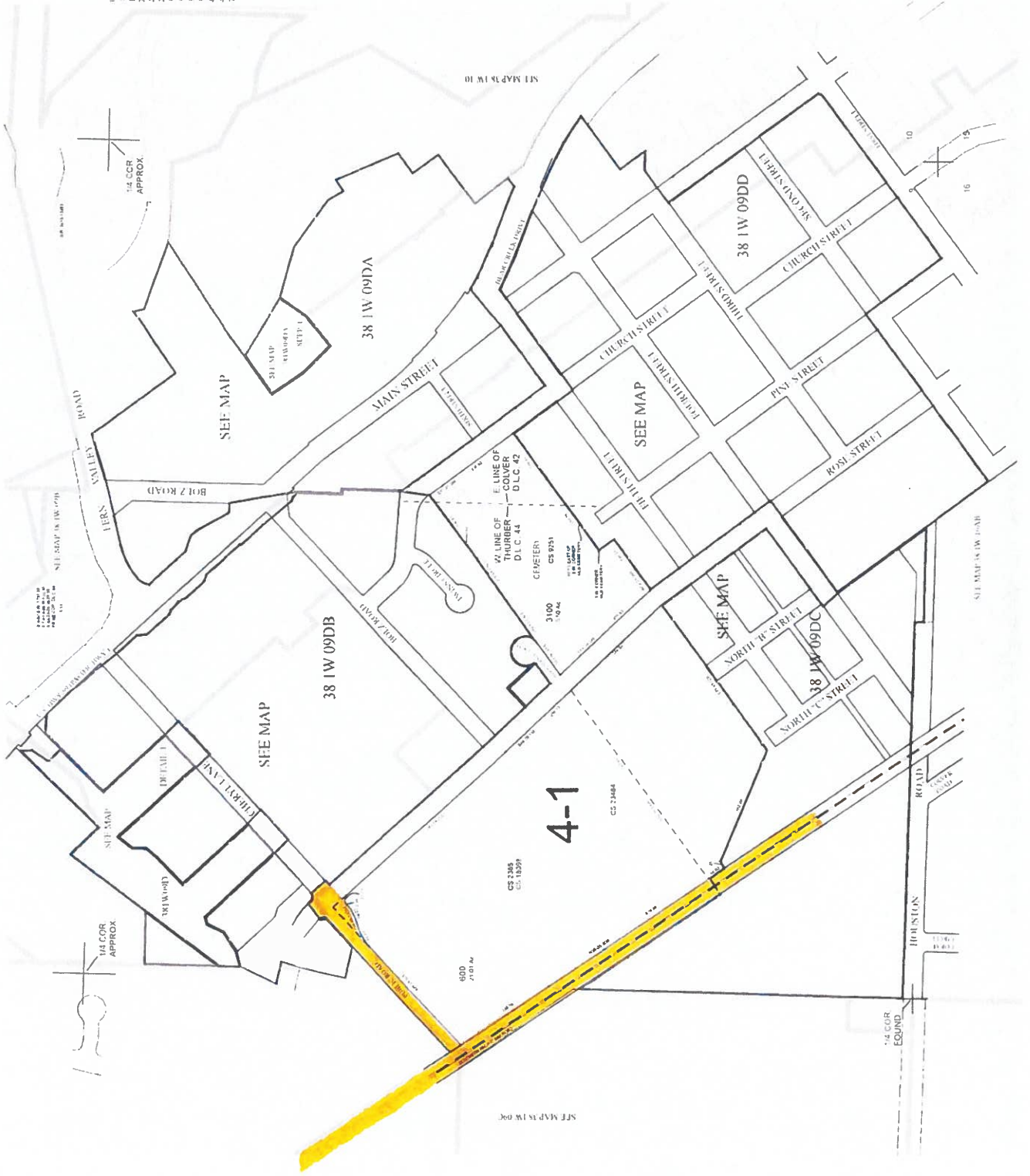
N.E. 1/4 N.W. 1/4 SEC. 9 T.38S. R.1W. W.M.
JACKSON COUNTY
1" = 100'

381W9BA



381W9BA
REV. 11-10-2022

FOR ASSESSMENT AND
TAXATION ONLY



EMBEDED TAX PLOT NUMBERS:
100 RE MAPPED TO 381W9D
102 RE MAPPED TO 381W9D
200 RE MAPPED TO 381W9D
201 RE MAPPED TO 381W9D
202 RE MAPPED TO 381W9D
300
301
302 RE MAPPED TO 381W9D
400
401
402 RE MAPPED TO 381W9D
403
404 RE MAPPED TO 381W9D
500
501 RE MAPPED TO 381W9D

Exhibit "D"

ORS § 222.170

Annexation by Consent Before Public Hearing or Order for Election

- (1) The legislative body of the city need not call or hold an election in any contiguous territory proposed to be annexed if more than half of the owners of land in the territory, who also own more than half of the land in the contiguous territory and of real property therein representing more than half of the assessed value of all real property in the contiguous territory consent in writing to the annexation of their land in the territory and file a statement of their consent with the legislative body on or before the day:
 - (a) The public hearing is held under ORS 222.120 (Procedure for annexation without election), if the city legislative body dispenses with submitting the question to the electors of the city; or
 - (b) The city legislative body orders the annexation election in the city under ORS 222.111 (Authority and procedure for annexation), if the city legislative body submits the question to the electors of the city.
- (4) Real property that is publicly owned, is the right of way for a public utility, telecommunications carrier as defined in ORS 133.721 or railroad or is exempt from ad valorem taxation shall not be considered when determining the number of owners, the area of land or the assessed valuation required to grant consent to annexation under this section unless the owner of such property files a statement consenting to or opposing annexation with the legislative body of the city on or before a day described in subsection (1) of this section.[Amended by 1955 c.51 §2; 1961 c.511 §2; 1971 c.673 §1; 1973 c.434 §1; 1983 c.350 §36; 1985 c.702 §11; 1987 c.447 §117; 1987 c.737 §4; 1999 c.1093 §12]

CITY OF PHOENIX LAND USE ELEMENT

Adopted by ORD 1008 Page 24

Policy 3.1

The City Council may approve annexations, without referral to the City's entire electorate, when findings and facts show that development of the property or properties proposed for annexation would be consistent with the Plan and:

- A) That development on the land proposed for annexation can be served with all urban services and facilities without adverse impact on the availability, quality, quantity, or reliability of City services provided to or likely to be needed by:
 1. Existing development within the incorporated area, and
 2. Undeveloped, partially vacant, or redevelopable incorporated land (considering approved development plans or permissible densities as set out in the Plan), and
- B) Population impacts of the proposed development will not cause the City's population to grow at a rate in excess of the Comprehensive Plan, Populating Element's planned population. The population impact of residential lands development shall be computed by:
 1. Multiplying the gross area in square feet times 72 percent (to account for lands dedicated to streets) then,

2. Dividing by the maximum lot size permissible within the zone that would be applied to the property if annexed, and then,
3. Multiplying by the average occupancy associated with the dwelling type based upon the most recent U.S. Census.

Such analysis shall be submitted by the applicant at the time of application.

An annexation conforms to the Population Element if the average rate of population growth likely to result from annexation (considering development phasing of the proposed annexation) when added to the development of previously annexed lands (considering their phasing and historical rate of development) will not exceed 133 percent of the average annual population growth rate computed as follows:

Planned Population – most recent PSU1 estimate of population Forecast Year – the year of the most recent estimate.

Policy 3.2

The City Council may, at its discretion, refer to the City's electorate any annexation that does not fully comply with Policy 3.1. The procedures described within ORS 222.130 regarding annexation elections shall be followed. A simple majority of votes cast shall determine the outcome.

Policy 3.3

The Council may annex territory to the City, and dispense with the requirements of Policy 3.1 and 3.2 where the Oregon Health Division has issued a finding that a danger to public health exists because of conditions within the territory.

Policy 3.4

All properties annexed to the City shall eventually be improved to City standards; including but not limited to street improvements, curbs, gutters, lighting, and other improvements included within the City's development standards or as may otherwise be specified by the City's Engineer, Public Works Director, or Planner and approved by the City Council. If required improvements are not proposed at the time of annexation, then the annexation agreement shall specify that the improvements shall be installed at the time of partitioning, subdivision, development or other time as approved by the Council.

Policy 3.5

The City shall initiate proceeding to annex "islands" of unincorporated area within the City Limits immediately following their creation or as soon thereafter as practical when deemed to be in the overall best interest of the City. Such annexations are required to ensure orderly and equitable provision of public improvement, utilities, and community services, and to further growth and development of the community in accordance with this Plan.

Policy 3.6

The City Council may initiate "contract annexation" or an alternative procedure, other than standard annexation, when it is determined that the community will derive significant economic advantage.