

TD 2023-1

DOR 27-446-2022

Notice to Taxing Districts

ORS 308.225



Cadastral Information Systems Unit
PO Box 14380
Salem, OR 97309-5075
fax 503-945-8737
boundary.changes@dor.oregon.gov

City of Independence
City Recorder
PO Box 7
Independence OR 97351

Description and Map Approved
January 3, 2023
As per ORS 308.225

☒ Description ☒ Map - Received from: Fred Evander
On: 12/15/2022

2023 Tax Year

This is to notify you that your Description and Map in Polk County for:
Annexation to the City of Independence

8429

1002

Ordinance No 1603
Council Bill No 2022-11

Code 13-05 to 13-30

has been: ☒ Approved 1/3/2023
☐ Disapproved

Department of Revenue File Number: 27-446-2022

Reviewed by: Robert Ayers, 503-983-3032

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

If you have not already done so, the approved version of the Description and Map must also be filed with the County Assessor

- ☐ Transfer
- ☐ Merge
- ☐ Establishment of Tax Zone

AYERS Robert A * DOR

From: Fred Evander <fevander@ci.independence.or.us>
Sent: Thursday, December 15, 2022 8:58 AM
To: Boundary Changes * DOR
Subject: Independence Annexation - Ordinance 1603
Attachments: Ord.1603.AnnexesLot.SWIndep.pdf

Greetings,
The City of Independence recently approved this small annexation.
If you have any questions, please let me know.
Thanks,
Fred

Fred Evander
City Planner
City of Independence
(503) 837-1168

**BEFORE THE CITY COUNCIL OF THE CITY OF INDEPENDENCE
STATE OF OREGON, COUNTY OF POLK**

An Ordinance Declaring Territory Annexed to]	
the City of Independence and Amending the]	
Comprehensive Plan, Land Use Map, and]	Council Bill #2022-11
Zoning Map for Tax Lot 1002, Map 8S 4W 29]	
and Stating an Effective Date]	

ORDINANCE NO. 1603

WHEREAS, City of Independence received a request to annex and rezone an approximately .17 acre parcel, identified as tax lot 1002 on Polk County tax map 8S 4W 29, as more specifically described in the attached Exhibit A (Property); and

WHEREAS, as part of the applicants' application, City received written consent from all property owners of record to the annexation of said territory and area which is on file with the City of Independence; and

WHEREAS, the subject Property is: (1) located within the City of Independence Urban Growth Boundary; (2) located within one or more special districts; (3) designated as Urban Reserve on the Polk County Comprehensive Plan Map and as Exclusive Farm Use in the Polk County Zoning Code; and

WHEREAS, the request is to: (1) annex the Property into the City of Independence; (2) withdraw the Property from any special districts; (3) apply City Zoning and Comprehensive Plan Map designation of Mixed Density Residential (MX); and

WHEREAS, the Property is contiguous to the City of Independence; and

WHEREAS, the City Council conducted a properly noticed public hearing to consider the requests on November 8, 2022, at which time the public was given full opportunity to be present and heard on the matter; and

WHEREAS, at the close of the public hearing, the City Council determined that the evidence and argument presented in the public hearing and on the record showed that the application request was in compliance with applicable criteria and directed staff to prepare an annexation and rezone Ordinance; **NOW, THEREFORE**,

THE CITY OF INDEPENDENCE DOES ORDAIN AS FOLLOWS:

Section 1. Annexation. The territory described on Exhibit A, attached hereto and incorporated herein by this reference, is hereby declared annexed to the City of Independence.

Section 2. Rezoning. The Property described above and as more particularly described in Exhibit A, attached hereto and by this reference incorporated herein, is hereby rezoned from

Polk County Exclusive Farm Use to City Mixed Residential (MX) zoning, as illustrated on Exhibit B. All official maps of the City are hereby amended to conform to the changes enacted by this Ordinance.

Section 3. Findings. The City of Independence hereby adopts the findings supporting this annexation and these Comprehensive Plan Land Use Map and Zoning Map amendments contained in the Staff Report attached hereto as Exhibit C and incorporated herein by this reference.

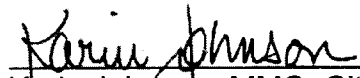
Section 4. Recordation. The City Recorder is hereby authorized and directed to: (1) make and submit to the Secretary of the State of Oregon, the assessor of Polk County, the County Clerk of Polk County, and the Department of Revenue, State of Oregon, a certified copy of this Ordinance; and (2) provide notice of the final adoption of this annexation Ordinance to the subject parcel property owners, anyone who participated in the public hearing, and anyone who requested notice of this decision.

Section 5. The Ordinance shall take effect 30 days after second reading and final passage.

READ for the first time:	<u>November 8, 2022</u>
READ for the second time:	<u>November 8, 2022</u>
APPROVED by Council:	<u>November 8, 2022</u>
SIGNED by the Mayor:	<u>November 8, 2022</u>


JOHN McARDLE, MAYOR

ATTEST:


Karin Johnson, MMC, City Recorder



AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 | www.aks-eng.com

AKS Job #5992

OFFICES IN: BEND, OR - KEIZER, OR - TUALATIN, OR - VANCOUVER, WA

EXHIBIT A

A tract of land located in the southeast one-quarter of Section 29, Township 8 South, Range 4 West, Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

Beginning at the northwest corner of the plat "Brandy Meadows No. 3", recorded in Volume 16, Page 18, Polk County Plat Records; thence South $87^{\circ}49'10''$ East along the north line of said plat, 265.36 feet to the southerly extension of the east line of Tract V as recorded in Book 16, Page 824, Polk County Book of Records; thence North $01^{\circ}59'04''$ East along said southerly extension, 20.97 feet to the southeast corner of said Tract V, said point also being on the line described in Document Number 2020-012582, Polk County Deed Records; thence North $87^{\circ}59'37''$ West along said Document Number 2020-012582 line, 264.51 feet to the east line of the tract of land described in Document Number 2001-013178, Polk County Deed Records (being the centerline of the South Fork of Ash Creek) and the Point of Terminus of the line described in said Document Number 2020-012582; thence South $04^{\circ}23'46''$ West along said east line (being the creek centerline) 20.18 feet, more or less, to the Point of Beginning.

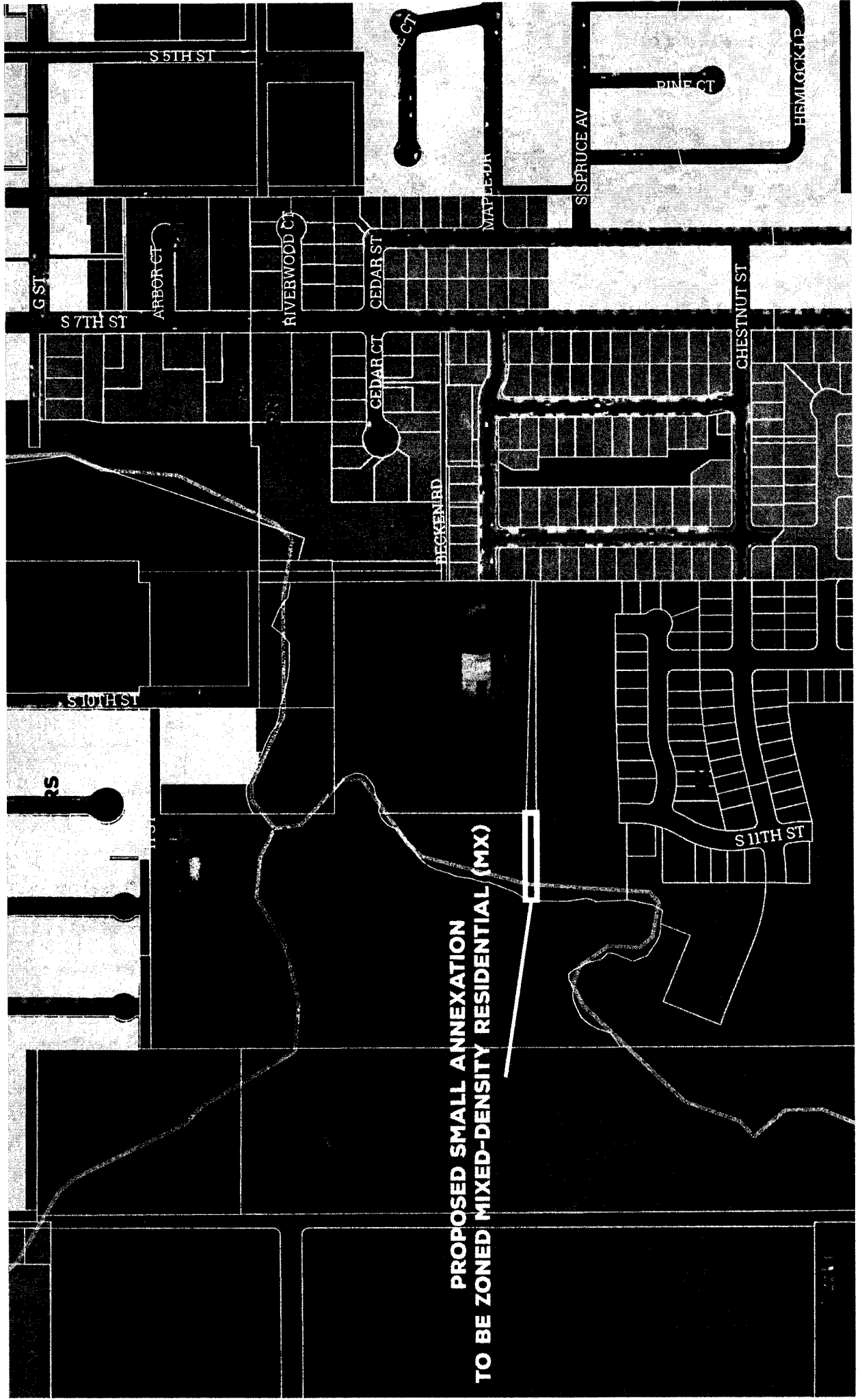
Contains 5,448 square feet, more or less.

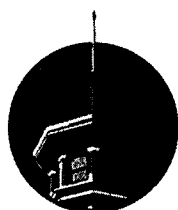
BRANDY MEADOWS SMALL ANNEXATION (AX 2022-01)

ORD #1603

ATTACHMENT E

Proposed Zoning





INDEPENDENCE

Oregon's Story Begins Here

TYPE III ANNEXATION AND ZONE CHANGE (FILE NO. AX | 2022-01) STAFF REPORT

MEETING DATE:	November 8, 2022
RECOMMENDATION:	APPROVE WITH CONDITIONS
FILE NUMBER:	AX 2022-01
APPLICANT:	Brandy Group LLC (Larry Dalke)
REQUEST:	Annex Taxlot 1002, Tax Map 8.4.29 (0.17 Acres in Size) and Rezone the Property to Mixed Residential (MX)
PROPERTY:	Map Number: 8.4.29. Taxlot: 1002
DESIGNATION:	Existing Comprehensive Plan Designation: Mixed-Density Res. Proposed Designation: No Change
ZONING:	Existing: County - Exclusive Farm Use (EFU) Proposed: City - Mixed Residential (MX)
CRITERIA:	Independence Comprehensive Plan Independence Development Code (IDC) -Subchapter 11: Administration -Subchapter 12: Zone Changes and Plan Amendments -Subchapter 14: Annexation
CONTENTS:	I. Background and Process II. Agency and Public Comments III. Potential Council Actions IV. Staff Findings - Independence Comprehensive Plan V. Staff Findings - Independence Development Code
ATTACHMENTS:	A. Type III Application (2 pages) B. Annexation Petition (1 page) C. Annexation Map and Description (2 pages) D. Assessor Map (1 page)

I. BACKGROUND AND PROCESS

This proposal seeks to annex 0.17 acres into the City of Independence. As part of the annexation, the land would be rezoned from the County Exclusive Farm Use Zone (EFU) to the City Mixed Residential Zone (MX). The annexed parcel would be included within the larger Brandy Meadows development.

II. AGENCY AND PUBLIC COMMENTS

No agency or public comments have been received as of the date of this Staff Report.

III. POTENTIAL COUNCIL ACTIONS

The Council may:

- Make a motion to approve AX | 2022-01, the annexation and zone change, as presented within this report.
- Make a motion to approve AX | 2022-01 with modifications.
- Request additional information.
- Deny the proposal.

Suggested motions:

"I move to read the proposed Ordinance, Council Bill #2022-11 in full as the text is contained in the Council packet, for the first time."

If passed, Recorder reads title of the proposed ordinance out loud to the council. If the motion was approved unanimously, then Council may have a second reading:

"I move to read the proposed Ordinance, Council Bill #2022-11 for the second time by title only."

If passed, Recorder reads title of proposed ordinance out loud to the council, and a motion to adopt is in order:

"I move to adopt the proposed Ordinance, Council Bill #2022-11."

Recorder declares that the ordinance has passed and assigns ordinance number.

IV. STAFF FINDINGS - INDEPENDENCE COMPREHENSIVE PLAN

The City Council is required to review the application for the annexation and rezone in accordance with the policies of the Independence Comprehensive Plan. An analysis of the annexation and rezone considering these policies is presented below.

Land Use Policies

...

Policy 9. The Southwest Independence Concept Plan has been adopted as an ancillary document of this Comprehensive Plan. Background information and policies within the Southwest Independence Concept Plan will supersede information in this Comprehensive Plan in the event of any conflicts between the two documents.

Staff Response: The Southwest Independence Concept Plan, adopted in the Independence Comprehensive Plan by reference, contains principles regarding transportation improvements, street standards, cycle and walking paths, the creation of a mix of housing types, and the use of low-impact development stormwater principles. The plan is available at: <https://www.ci.independence.or.us/planning/city-master-plans-and-other-planning-documents>.

The proposed small annexation would be incorporated into the larger Phase 3 of the Brandy Meadows Subdivision, a development that has effectively addressed the principles. This policy will be achieved.

Housing Policies

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8. Within the City's MX zone and the Southwest Independence Concept Planning Area, the City will allow for and encourage development of a variety of housing types. The City also may require a combination of minimum, maximum and average densities within these areas to achieve this policy.

Staff Response: The proposed annexation and rezone request would be incorporated within the larger Phase 3 of the Brandy Meadows Subdivision. The phase has been designed to include a variety of housing types and densities and will feature duplexes, townhomes, and detached single-family homes. This policy will be achieved.

Recreation

...

5. Independence shall plan for development of new parks in future growth areas and new developments.

Staff Response: The proposed annexation will include a small strip of land along the South Fork of Ash Creek that will be deeded to the City of Independence and utilized for park, open space and recreation.

...

7. Independence shall provide facilities for people to walk and bicycle for recreation, travel, health and fitness; and create connections to travel between different parks and recreation areas by walking, bicycling and other forms of active travel.

Staff Response: The proposed annexation will be incorporated into the larger Phase 3 of the Brandy Meadows Subdivision. The phase includes a trail along the South Fork of Ash Creek, that was originally identified as part of the Southwest Independence Concept Plan. This policy will be achieved.

V. STAFF FINDINGS - INDEPENDENCE DEVELOPMENT CODE

The proposed annexation and rezone request is considered a Type III action under Independence Development Code Section 11.002(C). The action requires a quasi-judicial review by the City Council, without a review by the Independence Planning Commission. Standards for the decision are presented in IDC Subchapter 12 (Zone Changes and Plan Amendments) and IDC Subchapter 14 (Annexations). The standards are presented below.

Subchapter 12: Zone Changes and Plan Amendments

12.005 Initiation of a Zone Change or Plan Amendment

A zone change or plan amendment may be initiated in any one of the following ways:

- A. The City Council may initiate such action by resolution. The resolution shall be forwarded to the City Manager, who shall set a date for a public hearing before the Planning Commission and give notice of such hearing as provided in this ordinance.
- B. The Planning Commission may initiate such action by resolution. The resolution shall be forwarded to the City Manager, who shall set a date for a public hearing before the Planning Commission and give notice of such hearing as provided in this ordinance.
- C. A property owner may initiate such action by petition for the owner's own property.

Staff Response: Larry Dalke submitted the request to annex and rezone the property along the South Fork of Ash Creek on behalf of David and Joan Setniker and Brandy Group LLC. This standard is met.

12.010 Zone Change and Plan Amendment by Petition

Any property owner may initiate a zone change or plan amendment for the property that he or she owns by submitting to the City Recorder a petition bearing the following:

...

Staff Response: The applicant has submitted the necessary documents for a rezone request. The rezone seeks to zone the land Mixed Density Residential (MX), which is compatible with the existing Comprehensive Plan designation of Mixed-Density Residential and the intended zoning under the Southwest Independence Concept Plan.

12.020 Action by the City Council

Upon receipt of a recommendation from the Planning Commission for any zone change or plan amendment, the City Council shall hold a public hearing. The City Council shall base its decision upon the findings, conclusions and recommendations reached by the Planning Commission unless, by a preponderance of the evidence, it finds facts and reaches conclusions different from those reached by the Planning Commission. All zone changes or plan amendments shall be based on written findings. Any zone change or plan amendment shall be by ordinance. Any denial of a request for a zone change or plan amendment shall be by resolution.

Staff Response: No Planning Commission review is required for the annexation/rezone request per IDC Section 11.002(C). Written findings should form the basis of the City Council's decision and the City Council should adopt an ordinance if the annexation is approved.

12.025 Standards for Zone Changes

No zone change shall be approved by the Planning Commission or enacted by the City council unless it conforms to the Comprehensive Plan, including the Transportation System Plan, and at least one of the following standards is met:

- A. The zoning on the land for which the zone change is initiated is erroneous and the zone change would correct the error;
- B. Conditions in the neighborhood surrounding the land for which the zone change is initiated have changed to such a degree that the zoning is no longer appropriate and the zone change would conform to the new conditions of the neighborhood;
- C. There is a public need for land use of the kind for which the zone change is initiated and that public need can best be met by the zone change.

Staff Response: If the City Council elects to approve the proposed annexation, the existing zoning for the property (County - Exclusive Farm Use) would no longer be appropriate.

Previous planning conducted for the southwest area identified the Mixed Residential Zone as the desired zone for the area. As stated within the plan "in 2009, Independence adopted the Mixed-Density Residential (MX) Zone with the intent of applying it to land in the Southwest Independence Concept Plan area as it is annexed into the city." (see page 23)

Given the work done on the Southwest Independence Concept Plan, and its adoption by reference in the Independence Comprehensive Plan, staff considers the MX zone to be the appropriate zone for the area.

Subchapter 14: Annexation

14.030 Master Plan Requirement for Southwest Independence Concept Plan Area

- A. **Purpose.** The Southwest Independence Concept Plan establishes the overall vision and land use framework for the Concept Plan area. However, the approved Concept Plan does not prescribe the specific location of new collector and local streets, the precise location and size of neighborhood parks or the intended mix of lot sizes. The purpose of the Master Plan requirement is to provide the applicant with reasonable assurance of

ultimate land division approval before expenditure of final design and engineering costs, while providing the City with assurances that the project will retain the character envisioned at the time of approval of the Concept Plan.

Staff Response: The annexation is included within the area planned for in the Southwest Independence Concept Plan. The small sliver was originally thought to be in the City of Independence when the larger master plan for the Brandy Meadows Subdivision was approved, and the area would be incorporated into Phase 3 of the overall development. The plan for the Brandy Meadows development, and the individual subdivisions within the plan, effectively address the necessary requirements for streets, parks, and housing types. This requirement is met.

B. Applicability and Procedure.

1. A Master Plan approval is required concurrent with annexation of any property within the Southwest Independence Concept Plan boundaries (see Figure 9 in the Concept Plan).
2. A Master Plan shall include the entire subject tax lot. At the option of the applicant, a Master Plan may include adjacent tax lots under the same or different ownership. All subject property owners must be listed as applicants and provide signatures on the application form.
3. Once approved, a Master Plan does not expire. The approved Master Plan shall replace and supersede the adopted Southwest Independence Concept Plan for the subject property or properties. An approved Master Plan may be amended pursuant to Section 14.030.E.
4. Once approved, subsequent land division and development review applications shall be reviewed for consistency with the Master Plan.

Staff Response: The proposed annexation is included within the larger master plan for the Brandy Meadows development. The plan was originally adopted in 2009 (as part of the initial annexation of the land) and was refined as part of SUB 2019-01. These previously adopted master plans meet this requirement.

C. Submittal Requirements. A Master Plan shall be drawn at a minimum scale of 1" = 100 ft and may include multiple sheets. The following information shall be shown on the plan:

1. The general location of collector streets (within a corridor width of 100 feet);
2. The general size and location of any park land;
3. The general size and location of any trail/stormwater/drainage corridors, with potential off-site connections shown;
4. Identification of the required riparian corridor setback along South Fork Ash Creek, if applicable to the subject property or properties;
5. The general location and size of areas intended for low, medium and high density housing, along with anticipated densities for each. The plan must indicate how the overall minimum average density of 9 units per acre will be met.

6. Anticipated phasing of development, if applicable.

Staff Response: The previously submitted master plans continue to meet these requirements.

D. Approval Criteria. A Master Plan shall be approved as part of the annexation process if it meets the following criteria:

1. The Master Plan is generally consistent with the locations and amounts of low, medium and high density residential development shown in Figure 9 of the Southwest Independence Concept Plan.
2. The Master Plan achieves the minimum target density of an average 9 units per net acre.
3. The Master Plan demonstrates that at least 15 percent of all dwelling units will be either in multiple-family or attached single-family structures.
4. The Master Plan is consistent with the Concept Plan policies in Section 3 of the adopted Concept Plan.
5. The Master Plan identifies trail/riparian/stormwater corridor easements along South Fork Ash Creek that are consistent with Figure 9 of the Concept Plan. The width of the corridor may vary from the Concept Plan depending on the results of wetland delineation and location of any wetland restoration or mitigation. At a minimum, the corridor must include the following:
 - a. The required 25-foot setback along Ash Creek as established in Subchapter 54.105;
 - b. Identified floodplain area;
 - c. Additional 40-foot wide area for stormwater management and multi-use trail (can be inside floodplain but outside any established wetland); and
 - d. Wetland areas as follows:
 - (1) Any delineated wetland area that will be protected and/or restored
 - (2) Any new wetland area created as mitigation for removal of wetlands in other areas of the site.

Staff Response: The proposed annexation is within an area that was thought to be annexed in 2009. That annexation included a master plan that was designed to meet the requirements listed above. As new phases have been proposed, staff has worked to ensure that the phases continue to meet these expectations.

Phases 2 through 4 were approved by the Independence Planning Commission in 2020, and this small parcel would be integrated into Phase 3 of the development.



APPLICATION FOR A

TYPE III OR IV PROPOSAL

City of Independence
555 S. Main St./ P.O. Box 7
Independence, OR 97351
Phone 503-838-1212 / Fax 503-606-3282

OFFICE USE ONLY

Permit #:	Date Rec:
Land Use Fee:	
Notice Fee:	\$60.00
Certified Labels (Opt.):	
Admin. Fee (10% or \$500 Max):	
Total:	

GENERAL INFORMATION

Site Address: <i>None Assigned</i>	Nearest Cross Street: <i>1st & Hickory Sts.</i>
Tax Map: <i>8.4.29</i>	Tax Lot(s): <i>1002</i>
Site Size: <i>See tax map</i>	Site Dimensions: <i>See tax map</i>
Project Summary (Attach Additional Sheets if Necessary):	

PROPERTY OWNER

Name: <i>David and Joan Setniker</i>		
Mailing Address: <i>1530 Independence Highway</i>		
City: <i>Independence</i>	State: <i>Oregon</i>	Zip: <i>97301</i>
Phone:	Cell:	Email:

APPLICANT

Name: <i>Brandy Group, LLC</i>		
Business Name (if Applicable):		
Mailing Address: <i>2180 16th St NE</i>		
City: <i>Salem</i>	State: <i>Oregon</i>	Zip: <i>97301</i>
Phone: <i>503-585-7403</i>	Cell: <i>503-932-2785</i>	Email: <i>larry@dalkeconstruction.com</i>

Applicant's Interest in Property:

SIGNATURES

THE PROPERTY OWNER(S)/APPLICANT(S) SHALL CERTIFY THAT:

- A. The request does not violate any deed restrictions that may be attached to or imposed upon the subject property.
- B. If the application is granted, the Applicant will exercise the rights granted in accordance with the terms and subject to all the conditions and limitations of the approval.
- C. All the above statements and the statements in the plot plan, attachments and exhibits transmitted herewith are true. The applicant(s) so acknowledge that any permit issued on this application may be revoked if it be found that any such statements are false.

Signature of Each Property Owner and Applicant (Husband/Wife/Contract Purchaser/etc.):

Print Name:	Signature:	Date:
<i>Larry Dalke</i>	<i>Larry Dalke</i>	<i>10-25-22</i>
<i>David F Setniker</i>	<i>David F Setniker</i>	<i>10-25-22</i>
<i>Joan Setniker</i>	<i>Joan Setniker</i>	<i>10/25/22</i>

APPLICATION TYPE

Type III Action:	Fee: (+\$60 Notice Fee)	Type IV Action:	Fee: (+\$60 Notice Fee)
Land Use Pre-Application (Should be completed prior to submittal of application)	\$300	Land Use Pre-Application (Should be completed prior to submittal of application)	\$300
Land Use Actions*:		Land Use Actions¹:	
<input checked="" type="checkbox"/> Annexation <i>Attach petition to this application</i>	\$2,000*	<input type="checkbox"/> Comprehensive Plan Amendments/Revisions	\$300 ^{1,*}
<input type="checkbox"/> Comprehensive Plan Map Amendment	\$2,500*	<input type="checkbox"/> Master Plan Adoptions	<i>'Private parties may request a Type IV action; however, it must be initiated by the Planning Commission or City Council'</i>
<input type="checkbox"/> Zone Change	\$2,500*	<input type="checkbox"/> Development Code Amendments	
<input type="checkbox"/> Site Design Review <i>For Larger Commercial/ Industrial Development</i>	\$500*		

**All land use application fees are a base fee amount to be paid to the City. An Agreement for Payment of Land Use Application Fees in the form attached hereto, must be executed by the property owner and submitted to the City with the application Base Fee, as a component of the City's required application fees. The Agreement shall be recorded against the subject property and run with the land. If the City's costs for processing an application exceed the Base Fee, the full cost due and payable will be the City's actual cost, including but not limited to hourly rates for planning, public works, engineering, City administration, legal, wetland and other consultants.*

NOTE: ALL FEES ARE NON-REFUNDABLE

REQUIRED SUBMITTALS

- ☐ Details necessary for the proposal as specified in the Independence Development Code.
- ☐ Plot plan of subject property - show scale, north arrow, location of all existing and proposed structures, road access to property, names of owners of each property, etc. Plot plans can be submitted on tax assessor's maps, which can be obtained from the Assessor's office in the Polk County Courthouse, Dallas, OR.
- ☐ Legal description of the property as it appears on the deed (metes and bounds). This can be obtained at the Polk County Clerk's office in the Courthouse.
- ☐ For a Zone Change, Comprehensive Plan Amendment or Urban Growth Boundary change, the names, addresses and zip codes of all the owners of record of the property(ies) to be reclassified, if not shown above.
- ☐ A certified list of names and addresses of each owner of all properties within 250' of the subject property. 2 sets of mailing labels for each property owner must also be provided. For an additional \$25, the city will provide the list and labels.

CHECK HERE FOR THIS OPTION ☐ and include \$25 to the total due with your application.

- ☐ Agreement for Payment of Land Use Application Fees (notarized).



City of Independence
555 South Main Street
PO Box 7
Independence, OR 97351
Phone: 503.838.1212 / Fax: 503.606.3282
TTY: 1.800.735.2900

ANNEXATION PETITION

ORS 222.125

We, the undersigned legal owner(s) or contract purchaser(s) of a certain parcel of land, as set forth in the attached legal description, marked as Exhibit 'A', petition the Honorable Mayor and City Council of the City of Independence for annexation of certain property to the City of Independence. We further desire that by this petition that the certain property be annexed to and be included within the corporate limits of the City of Independence, Oregon, a municipal corporation, and we do hereby consent to such annexation, without the necessity of any election being called within the area above described, and we do hereby take steps as are necessary to determine whether or not the said above described area shall be annexed.

Owner(s) or Contract Purchaser(s):

David and Joan Setniker

Address:

1530 Independence Highway, Independence, OR 97351

DATED this 25 day of October, 20 22.

I certify that the above Petition for Annexation of the territory described therein contains the names of all the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory.

David and Joan Setniker
Name

Owners
Title

Date: 10/25/22



AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 | www.aks-eng.com

AKS Job #5992

OFFICES IN: BEND, OR - KEIZER, OR - TUALATIN, OR - VANCOUVER, WA

EXHIBIT A

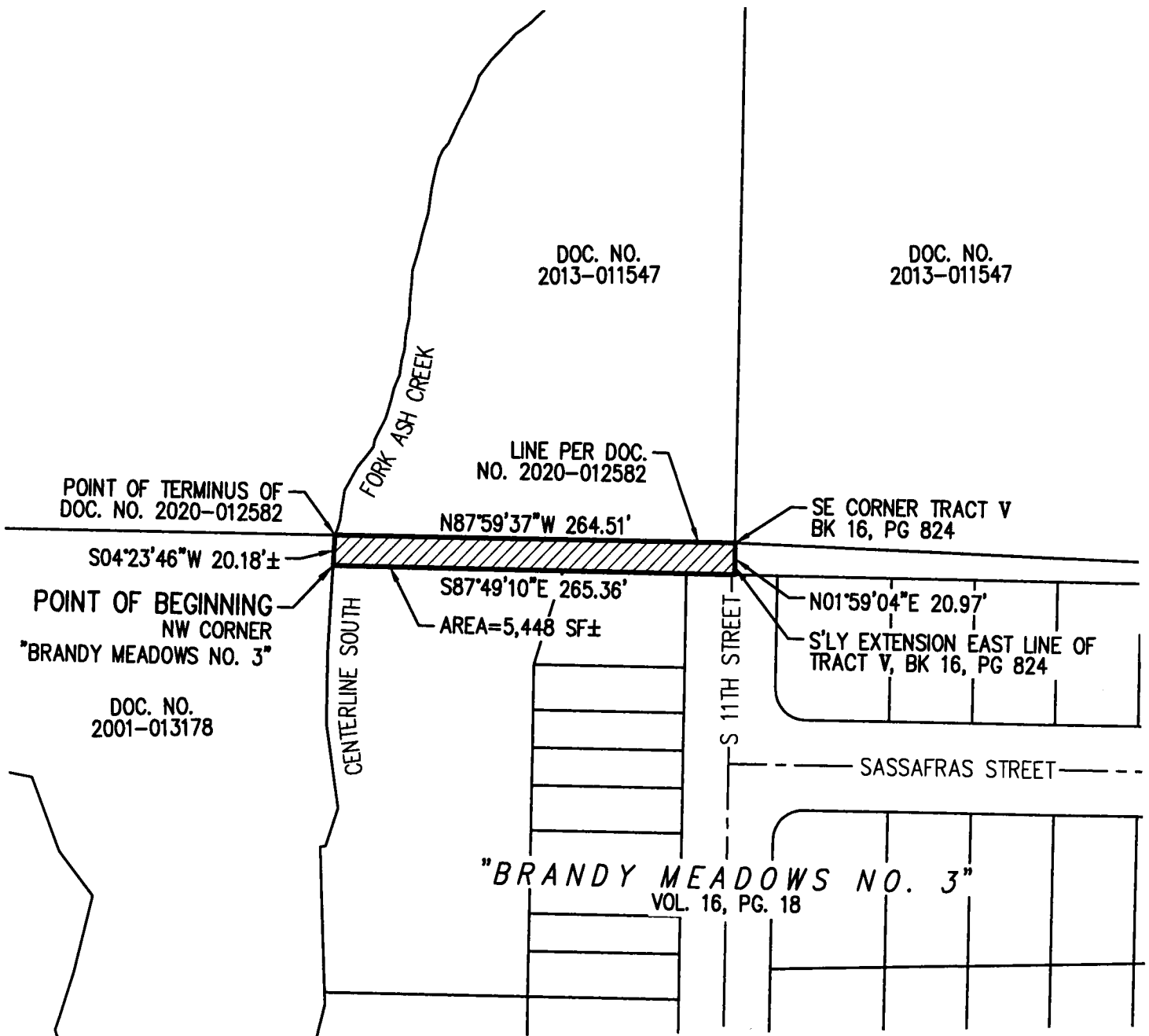
A tract of land located in the southeast one-quarter of Section 29, Township 8 South, Range 4 West, Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

Beginning at the northwest corner of the plat "Brandy Meadows No. 3", recorded in Volume 16, Page 18, Polk County Plat Records; thence South $87^{\circ}49'10''$ East along the north line of said plat, 265.36 feet to the southerly extension of the east line of Tract V as recorded in Book 16, Page 824, Polk County Book of Records; thence North $01^{\circ}59'04''$ East along said southerly extension, 20.97 feet to the southeast corner of said Tract V, said point also being on the line described in Document Number 2020-012582, Polk County Deed Records; thence North $87^{\circ}59'37''$ West along said Document Number 2020-012582 line, 264.51 feet to the east line of the tract of land described in Document Number 2001-013178, Polk County Deed Records (being the centerline of the South Fork of Ash Creek) and the Point of Terminus of the line described in said Document Number 2020-012582; thence South $04^{\circ}23'46''$ West along said east line (being the creek centerline) 20.18 feet, more or less, to the Point of Beginning.

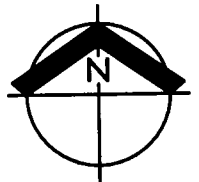
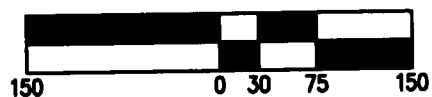
Contains 5,448 square feet, more or less.

EXHIBIT B

A TRACT OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 29,
TOWNSHIP 8 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN,
POLK COUNTY, OREGON



SCALE: 1"=150 FEET



PREPARED FOR

BRANDY GROUP LLC
2180 16TH STREET NE
SALEM, OR 97301

ANNEXATION MAP
TAX LOT 8.4.29 01002

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151 WWW.AKS-ENG.COM



EXHIBIT
B

DRWN: WCB
CHKD: GEP
AKS JOB:
5992

