

# House Bill 3067

Sponsored by Representative READ, Senator JOHNSON

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Establishes process for Multnomah County to transfer "Area 93" to Washington County.  
Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to transfer of "Area 93" from Multnomah County to Washington County; creating new  
3 provisions; amending ORS 201.260 and 201.340; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

### **SECTION 1. The Legislative Assembly finds and declares:**

5  
6 **(1) It is in the interest of the State of Oregon to facilitate efficient and well-planned ur-**  
7 **ban development on land included within an urban growth boundary.**

8 **(2) It is preferable for county services to be provided by the county in which the territory**  
9 **receiving the services is located.**

10 **(3) The portion of Multnomah County referred to as "Area 93" was included within**  
11 **Metro's urban growth boundary in 2002.**

12 **(4) "Area 93" is immediately adjacent to an urbanized portion of Washington County and**  
13 **separated from urbanized portions of Multnomah County and the City of Portland and more**  
14 **than one-half mile from the City of Portland's urban service district.**

15 **(5) In 2012, the Land Conservation and Development Commission acknowledged the des-**  
16 **ignation of urban and rural reserves for the Portland metropolitan region under ORS 195.137**  
17 **to 195.145, including a rural reserve that further isolates "Area 93" from urbanized portions**  
18 **of Multnomah County. Rural reserves are areas that may not be included within an urban**  
19 **growth boundary for a period of 50 years.**

20 **(6) For the reasons identified in this section, neither Multnomah County nor the City of**  
21 **Portland can effectively deliver urban services within "Area 93." This situation is without**  
22 **precedent and is unlikely to be repeated.**

23 **SECTION 2. (1) Notwithstanding ORS 202.020, 202.030, 202.040, 202.050, 202.060, 202.070 and**  
24 **202.080 (1), on or before January 1, 2014, the governing bodies of Multnomah County and**  
25 **Washington County may approve as provided in this section a transfer of the territory**  
26 **known as "Area 93," from Multnomah County to Washington County as reflected in the**  
27 **amendments to ORS 201.260 and 201.340 by sections 3 and 4 of this 2013 Act.**

28 **(2) The governing bodies of Multnomah County and Washington County shall each ap-**  
29 **point two members of the governing body to meet for the purpose of establishing the terms**  
30 **of a plan for the transfer of "Area 93," including:**

31 **(a) The assumption of liabilities and the division of assets made necessary by the pro-**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.  
New sections are in **boldfaced** type.

1 posed transfer of territory; and

2 (b) The schedule required by subsection (5) of this section.

3 (3) A majority of the members appointed under subsection (2) of this section may present  
 4 to the governing bodies of Multnomah County and Washington County the plan for the  
 5 transfer of “Area 93” required by subsection (2) of this section.

6 (4) If the appointed members present a plan for the transfer of “Area 93” to their re-  
 7 spective governing bodies and each governing body approves the plan by a majority vote of  
 8 its members in a vote taken on or before January 1, 2014:

9 (a) Within 10 days after the governing bodies of both counties have approved the transfer  
 10 of “Area 93,” the governing bodies of the counties shall jointly notify the Governor of their  
 11 approval of the plan; and

12 (b) Within 10 days after receiving the notice described in paragraph (a) of this subsection,  
 13 the Governor shall issue a proclamation declaring approval of the change in county bounda-  
 14 ries as reflected in the amendments to ORS 201.260 and 201.340 by sections 3 and 4 of this  
 15 2013 Act.

16 (5) Notwithstanding ORS 202.160 and 202.170, if the governing bodies of Multnomah  
 17 County and Washington County approve the plan as described in subsection (4) of this sec-  
 18 tion, Multnomah County shall transfer to Washington County, on the schedule established  
 19 by the counties in the plan under subsection (2) of this section, possession of recording doc-  
 20 uments and indexes:

21 (a) From 1994 or later for the territory transferred from Multnomah County to  
 22 Washington County; and

23 (b) For real property within the territory the ownership of which was last changed before  
 24 1994, the recording documents reflecting the most recent change in ownership.

25 **SECTION 3.** ORS 201.260 is amended to read:

26 201.260. The boundary of Multnomah County is as follows:

27 (1) Beginning at a point on the boundary of the state on the half-section line running east and  
 28 west through the center of [sections 22 and] **section 23**, township 3 north, range 1 west, Willamette  
 29 Meridian; thence running westerly along the half-section line[,] through the center of section 23[,  
 30 until it intersects] **to the intersection with** the section line running north and south between  
 31 sections 22 and 23; thence southerly along the section line [until it intersects] **to the intersection**  
 32 **with** the section line running east and west that divides sections 23 and 26; thence westerly along  
 33 the section line to a point in the middle of the second range of townships west of the Willamette  
 34 Meridian; thence [south by] **southerly six miles along** the section [line] **lines** to the [center of the  
 35 second township north of the base line;] **southwest corner of section 22, township 2 north, range**  
 36 **2 west; thence along section lines one mile east by one mile south, alternately, to the**  
 37 **northwest corner of section 22, township 1 north, range 1 west; thence southerly one-half**  
 38 **mile along the section line to the half-section line running east and west through section 22;**  
 39 **thence easterly along the half-section line of section 22 and the north line of Bonny Slope,**  
 40 **a subdivision in the Multnomah County Plat Records, S 88°26’12’’ E 215.30 feet, more or less,**  
 41 **to the easterly right-of-way of Northwest 124th Avenue at a point 25.00 feet easterly of the**  
 42 **centerline of Northwest 124th Avenue, when measured at a right angle to the centerline;**  
 43 **thence along the easterly right-of-way of Northwest 124th Avenue, being on a line parallel**  
 44 **with and 25.00 feet easterly of the centerline of Northwest 124th Avenue, when measured at**  
 45 **right angles to the centerline, N 02°11’48’’ E 180.00 feet, more or less, to the northwest corner**

1 of the real property described in Book 600, Page 1653, of the Multnomah County Deed Re-  
2 cords; thence along the north line of the real property described in Book 600, Page 1653, S  
3 88°26'12" E 374.00 feet, more or less, to the northeast corner of the real property; thence  
4 along the east line of the real property described in Book 600, Page 1653, S 02°11'48" W 180.00  
5 feet, more or less, to the half-section line running east and west in section 22 at a point on  
6 the southeast corner of the real property and the northeast corner of Lot 19 of Bonny Slope,  
7 a subdivision in the Multnomah County Plat Records; thence along the half-section line of  
8 section 22, and the north line of Bonny Slope, S 88°26'12" E 1812.29 feet, more or less, to the  
9 northeast corner of the real property described in Deed Document 94-055215 of the  
10 Multnomah County Deed Records; thence along the east line of the real property described  
11 in Deed Document 94-055215, S 02°11'48" W 611.94 feet, more or less, to the northerly right-  
12 of-way of Multnomah County Road No. 1218 (Northwest Laidlaw Road), at a point 25.00 feet  
13 northerly of the centerline of Multnomah County Road No. 1218, when measured at a right  
14 angle to the centerline; thence along the northerly and easterly right-of-way of Multnomah  
15 County Road No. 1218, as shown on the map of Multnomah County Road No. 1218, map  
16 D15/13, Multnomah County Road Records, and being parallel with and 25.00 feet northerly and  
17 easterly of the centerline of Multnomah County Road No. 1218, when measured at a right  
18 angle to the centerline, the following seven courses: on a 216.00-foot radius, nontangent  
19 curve to the right through a central angle of 37°06'53" (chord bears S 16°50'16" E 137.49 feet)  
20 139.92 feet, more or less, to the end of the 216.00-foot radius, nontangent curve and a point  
21 of tangency at station 38+57.80 25.00 feet right; thence S 01°43'10" W 575.23 feet, more or  
22 less, to station 32+82.57 25.00 feet right and the beginning of a 195.40-foot radius curve to  
23 the left; thence on the 195.40-foot radius curve to the left through a central angle of  
24 43°31'00" (chord bears S 20°02'20" E 144.87 feet) 148.41 feet, more or less, to the end of the  
25 195.40-foot radius curve and a point of tangency at station 31+15.20 25.00 feet right; thence  
26 S 41°47'50" E 728.26 feet, more or less, to station 23+86.94 25.00 feet right and the beginning  
27 of a 179.60-foot radius curve to the left; thence on the 179.60-foot radius curve to the left  
28 through a central angle of 33°17'00" (chord bears S 58°26'20" E 102.87 feet) 104.33 feet, more  
29 or less, to the end of the 179.60-foot radius curve and a point of tangency at station 22+68.07  
30 25.00 feet right; thence S 75°04'50" E 180.48 feet, more or less, to station 20+87.59 25.00 feet  
31 right and the beginning of a 179.60-foot radius curve to the left; thence on the 179.60-foot  
32 radius curve to the left through a central angle of 23°58'00" (chord bears S 87°03'50" E 74.58  
33 feet) 75.13 feet, more or less, to the end of the 179.60-foot radius curve and a point of  
34 tangency at station 20+02.00 25.00 feet right; thence leaving the northerly right-of-way of  
35 Multnomah County Road No. 1218 radial to the centerline of Multnomah County Road No.  
36 1218, S 09°02'50" E 25.00 feet, more or less, to centerline station 20+02.00 as shown on the  
37 map of Multnomah County Road No. 1218, map D15/13, Multnomah County Road Records;  
38 thence S 37°08'10" E 43.84 feet, more or less, to the southerly right-of-way of Multnomah  
39 County Road No. 1218 at a point 25.00 feet southerly of the centerline of Multnomah County  
40 Road No. 1218, when measured at a right angle to the centerline, and the easterly right-of-  
41 way of Northwest Marcotte Road, as dedicated in the Map of Replat of Lots 4 & 5 Bonny  
42 Slope, a subdivision in the Multnomah County Plat Records, and being at a point 25.00 feet  
43 easterly of the centerline of Northwest Marcotte Road, when measured at a right angle to  
44 the centerline; thence along the easterly and southerly right-of-way of Northwest Marcotte  
45 Road, being parallel with and 25.00 feet easterly and southerly of the centerline of Northwest

1 **Marcotte Road, when measured at a right angle to the centerline, the following five courses:**  
 2 **S 03°21'32" W 59.58 feet, more or less, to the beginning of a 125.00-foot radius curve to the**  
 3 **right; thence along the 125.00-foot radius curve to the right through a central angle of**  
 4 **105°00'00" (chord bears S 55°51'32" W 198.34 feet) 229.07 feet, more or less, to the end of the**  
 5 **125.00-foot radius curve and a point of tangency; thence N 71°38'28" W 233.12 feet, more or**  
 6 **less, to the beginning of a 104.76-foot radius curve to the left; thence along the 104.76-foot**  
 7 **radius curve to the left through a central angle of 78°38'00" (chord bears S 69°02'32" W 132.75**  
 8 **feet) 143.77 feet, more or less, to the end of the 104.76-foot radius curve and a point of**  
 9 **tangency; thence S 29°43'32" W 403.77 feet, more or less, to the section line between section**  
 10 **22 and section 27, township 1 north, range 1 west, at a point S 88°09'28" E 28.28 feet, more**  
 11 **or less, from the half-section line running north and south through section 22; thence**  
 12 **easterly along the section line to the southeast corner of section 22; thence one mile south and**  
 13 **one mile east, alternately, by section lines to the Willamette Meridian; thence south by the meridian**  
 14 **line to the township line between townships 1 and 2 south of the base line; thence east by the**  
 15 **township line to the middle of the Willamette River; thence down the middle of the Willamette River**  
 16 **to the section line between sections 23 and 26, township 1 south, range 1 east; thence east on sec-**  
 17 **tion lines to the western boundary of Hood River County, as described in ORS 201.140; thence**  
 18 **northerly along such county boundary to the boundary of the state; thence westerly along the**  
 19 **boundary of the state to the place of beginning.**

20 (2) Commencing at a point at the quarter post between sections 23 and 26, township 1 south,  
 21 range 1 east; thence east to the east line of the city of Sellwood; thence south along the east line  
 22 of the city of Sellwood to the southeast corner of the city; thence west and westerly along the south  
 23 line of the city to the center of the Willamette River; thence down the center of the river to the line  
 24 between sections 22 and 27, township 1 south, range 1 east; thence east along the line between  
 25 sections 22, 27, 23 and 26 to the place of beginning.

26 **SECTION 4.** ORS 201.340 is amended to read:

27 201.340. The boundary of Washington County is as follows: Commencing at the southeast corner  
 28 of section 1, township 3 south, range 1 west, Willamette Meridian; *[running thence north 13 miles]*  
 29 **thence northerly along the Willamette Meridian 13 miles;** thence one mile west; thence one mile  
 30 north; thence one mile west; thence one mile north; *[thence one mile west; thence one mile north;]* **to**  
 31 **the southeast corner of section 22, township 1 north, range 1 west; thence westerly along the**  
 32 **south line of section 22, N 88°09'28" W 2629.75 feet, more or less, to the easterly right-of-way**  
 33 **of Northwest Marcotte Road, as dedicated in the Map of Replat of Lots 4 & 5 Bonny Slope,**  
 34 **a subdivision in the Multnomah County Plat Records, and a point 25.00 feet easterly of the**  
 35 **centerline of Northwest Marcotte Road, when measured at a right angle to the centerline,**  
 36 **also being S 88°09'28" E 28.28 feet, more or less, from the half-section line running north and**  
 37 **south through section 22; thence northerly along the easterly and southerly right-of-way of**  
 38 **Northwest Marcotte Road, being parallel with and 25.00 feet easterly and southerly of**  
 39 **Northwest Marcotte Road, when measured at a right angle to the centerline; thence the**  
 40 **following five courses: N 29°43'32" E 403.77 feet, more or less, to the beginning of a 104.76-foot**  
 41 **radius curve to the right; thence along the 104.76-foot radius curve to the right through a**  
 42 **central angle of 78°38'00" (chord bears N 69°02'32" E 132.75 feet) 143.77 feet, more or less, to**  
 43 **the end of the 104.76-foot radius curve and a point of tangency; thence S 71°38'28" E 233.12**  
 44 **feet, more or less, to the beginning of a 125.00-foot radius curve to the left; thence along the**  
 45 **125.00-foot radius curve to the left through a central angle of 105°00'00" (chord bears N**

1 55°51'32" E 198.34 feet) 229.07 feet, more or less, to the end of the 125.00-foot radius curve  
2 and a point of tangency; thence N 03°21'32" E 59.58 feet, more or less, to the southerly  
3 right-of-way of Multnomah County Road No. 1218 (Northwest Laidlaw Road), at a point 25.00  
4 feet southerly of the centerline of Multnomah County Road 1218, when measured at a right  
5 angle to the centerline of the road; thence leaving the rights-of-way of Northwest Marcotte  
6 Road and Multnomah County Road No. 1218, N 37°08'10" W 43.84 feet, more or less, to the  
7 centerline of Multnomah County Road No. 1218 at centerline station 20+02.00 B.C., as shown  
8 on the map of Multnomah County Road No. 1218, map D15/13, Multnomah County Road Re-  
9 cords; thence radial to the centerline, N 09°02'50" W 25.00 feet, more or less, to the northerly  
10 right-of-way of Multnomah County Road No. 1218 at station 20+02.00 B.C. 25.00 feet right  
11 and the beginning of a 179.60-foot radius, nontangent curve to the right; thence along the  
12 northerly and easterly right-of-way of Multnomah County Road No. 1218, being parallel with  
13 and 25.00 northerly and easterly of the centerline of Multnomah County Road No. 1218, when  
14 measured at a right angle to the centerline of the road, the following seven courses: along  
15 the 179.60-foot radius, nontangent curve to the right through a central angle of 23°58'00"  
16 (chord bears N 87°03'50" W 74.58 feet) 75.13 feet, more or less, to the end of the 179.60-foot  
17 radius, nontangent curve and a point tangency at station 20+87.59 E.C. 25.00 feet right;  
18 thence N 75°04'50" W 180.48 feet, more or less, to station 22+68.07 B.C. 25.00 feet right and  
19 the beginning of a 179.60-foot radius curve to the right; thence on the 179.60-foot radius curve  
20 to the right through a central angle of 33°17'00" (chord bears N 58°26'20" W 102.87 feet)  
21 104.33 feet, more or less, to the end of the 179.60-foot radius curve and a point of tangency  
22 at station 23+86.94 E.C. 25.00 feet right; thence N 41°47'50" W 728.26 feet, more or less, to  
23 station 31+15.20 B.C. 25.00 feet right and the beginning of a 195.40-foot radius curve to the  
24 right; thence on the 195.40-foot radius curve to the right through a central angle of  
25 43°31'00" (chord bears N 20°02'20" W 144.87 feet) 148.41 feet, more or less, to the end of  
26 195.40-foot radius curve and a point of tangency at station 32+82.57 E.C. 25.00 feet right;  
27 thence N 01°43'10" E 575.23 feet, more or less, to station 38+57.80 B.C. 25.00 feet right and  
28 the beginning of a 216.00-foot radius curve to the left; thence along the 216.00-foot radius  
29 curve to the left through a central angle of 37°06'53" (chord bears N 16°50'16" W 137.49 feet)  
30 139.92 feet, more or less, to the east line of the real property described in Deed Document  
31 94-055215 of the Multnomah County Deed Records; thence, leaving the right-of-way of  
32 Multnomah County Road No. 1218, northerly along the east line of the real property de-  
33 scribed in Deed Document 94-055215, N 02°11'48" E 611.94 feet, more or less, to the half-  
34 section line running east and west in section 22 and the northeast corner of the real property  
35 described in Deed Document 94-055215; thence westerly along the half section line, N  
36 88°26'12" W 1812.29 feet, more or less, to the northeast corner of Lot 19 of Bonny Slope, a  
37 subdivision in the Multnomah County Plat Records, and the southeast corner of the real  
38 property described in Book 600, Page 1653, of the Multnomah County Deed Records; thence  
39 northerly along the east line of the real property described in Book 600, Page 1653, N  
40 02°11'48" E 180.00 feet, more or less, to the northeast corner of the real property; thence  
41 westerly along the north line of the real property described in Book 600, Page 1653, N  
42 88°26'12" W 374.00 feet, more or less, to the northwest corner of the real property described  
43 in Book 600, Page 1653 and the easterly right-of-way of Northwest 124th Avenue at a point  
44 25.00 feet easterly of the centerline of Northwest 124th Avenue, when measured at a right  
45 angle to the centerline of the road; thence southerly along the easterly right-of-way of

1 Northwest 124th Avenue, being parallel with and 25.00 feet easterly of the centerline of  
 2 Northwest 124th Avenue when measured at a right angle to the centerline of the road, S  
 3 02°11'48'' W 180.00 feet, more or less, to the half-section line running east and west through  
 4 section 22 and the north line of the Bonny Slope subdivision; thence westerly along the  
 5 half-section line, N 88°26'12'' W 215.30 feet, more or less, to the section line running north  
 6 and south between section 22 and section 21; thence northerly along the section line one-half  
 7 mile to the northwest corner of section 22, township 1 north, range 1 west; thence one mile  
 8 west; thence one mile north; thence one mile west; thence one mile north; thence one mile west;  
 9 thence one mile north; thence one mile west; thence one mile north; thence one mile west; thence  
 10 one mile north; thence one mile west; thence seven miles north; thence three miles west; thence one  
 11 mile north; thence two miles west; thence two miles north; thence 16 miles west; thence five miles  
 12 south; thence six miles west; thence two miles south; thence one mile east; thence one mile south;  
 13 thence one mile east; thence one mile south; thence one mile east; thence one mile south; thence two  
 14 miles east; thence one mile south; thence two miles east; thence one mile south; thence two miles  
 15 east; thence one mile south; thence one mile west; thence one mile south; thence two miles west;  
 16 thence two miles south; thence two miles west; thence one mile south; thence one mile west; thence  
 17 one mile south; thence one mile west; thence two miles south; thence one mile west; thence three  
 18 miles south; thence one mile west; thence one mile south; thence 17 miles east; thence one mile  
 19 south; thence one mile east; thence one mile south; thence four miles east; thence one mile south;  
 20 thence one mile east; thence one mile south; thence one mile east; thence one mile south; thence  
 21 one mile east; thence one mile south; thence three miles east; thence two miles south; thence three  
 22 miles east; thence two miles north; thence two miles east; thence one mile south; thence three miles  
 23 east to the place of beginning.

24 **SECTION 5. The amendments to ORS 201.260 and 201.340 by sections 3 and 4 of this 2013**  
 25 **Act become operative:**

26 (1) Only if the Governor issues a proclamation declaring approval of the change in county  
 27 boundaries as provided in section 2 (4) of this 2013 Act; and

28 (2) Thirty days after the date the Governor issues the proclamation described in para-  
 29 graph (a) of this subsection.

30 **SECTION 6. This 2013 Act being necessary for the immediate preservation of the public**  
 31 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**  
 32 **on its passage.**

33